MOOREBANK INTERMODAL TERMINAL FACILITY COMMONWEALTH COMPLIANCE REPORT

EPBC Approval No. 2011/6229

Reporting period: 23 June 2020 to 22 June 2021

QUBE HOLDINGS LIMITED
MOOREBANK INTERMODAL TERMINAL FACILITY COMMONWEALTH COMPLIANCE REPORT

EPBC Approval No. 2011/6229

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Approver		
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Signed_____ [redacted]

Full name (please print) Position (please print)_____ [redacted]

Organisation (please print including ABN/ACN if applicable):

Qube Holdings Limited (ACN: 149 723 053)

Date 27/09/2021

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1 INTRODUCTION

1.1 Description of Activities

EPBC number	2011/6229
Project name	SIMTA Moorebank Intermodal Terminal Facility
Person to Whom the Approval is Granted	Sydney Intermodal Terminal Alliance comprising: • Qube Holdings Limited (ACN: 149 723 053) and • Aurizon Holdings Limited (ACN: 146 335 622).
Approved Action:	To construct and operate the Sydney Intermodal Terminal Alliance (SIMTA) Moorebank Intermodal Terminal Facility and associated rail infrastructure, including a rail link to the Southern Sydney Freight Line, approximately 27 km south-west of Sydney's CBD [See EPBC Act referral 2011/6229 and 'Notification of variation of proposal to take action' dated 13 November 2012).
Location of the Project	Sydney, NSW
Person Accepting Responsibility for the Report	Qube Holdings Limited (ACN: 149 723 053)
Reporting Period	23 June 2020 to 22 June 2021
Report Date	27 September 2021

1.2 Purpose of this Report

The Moorebank Intermodal Terminal (MIT) Facility was approved on 6 March 2014 under Sections 18, 18A, 26 and 27A of the *Environmental Protection and Biodiversity Conservation Act* 1999 (EPBC Act).

Compliance tracking and reporting requirements are specified in Condition of Approval (CoA) Administrative Conditions C12. The Condition states:

> *Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report (the Compliance Report) on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans or agreements as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the Compliance Report is published. The person taking the action must continue to annually publish the Compliance Report until such time as agreed in writing by the Minister.*

Construction of the MIT commenced on 22 June 2017.

A variation to the EPBC 2011/6229 approval amending CoAs 7(b) and 8(a) was approved by the Secretary's representative on 19 August 2019.

This report summarises construction progress and compliance against the relevant CoA for the reporting period 23 June 2020 to 22 June 2021. Compliance with the CoA is provided in Appendix A.

This report has been prepared by Aspect Environmental Pty Ltd with input from SIMTA, Tactical, Archile and the respective construction contractors.

2 PROJECT DESCRIPTION

2.1 Precinct Overview

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

The MIT Facility comprises the Moorebank Precinct East (MPE) and Moorebank Precinct West (MPW). The works approved under EPBC 2011/6229 are located within MPE, as shown in Annexure B of the Approval.

Contractors have been appointed to undertake three packages of works under the current approvals across MPE.

The works within MPE are broken down into the following works packages:

- MPE Stage 1, Package 1 – construction of the rail link
- MPE Stage 1, Package 2 – construction of the import-export terminal
- MPE Stage 2 – construction of warehousing and associated infrastructure and Moorebank Avenue upgrade works.

Details of the scope of works for each package is provided in Section 2.3.

2.2 Site Location

The MIT Facility is located approximately 27 km south-west of the Sydney CBD and approximately 26 km west of Port Botany within the Liverpool Local Government Area in Sydney's South-West Sub-Region, approximately 2.5 km from the Liverpool City Centre.

The MPE Site is generally bounded to the west by Moorebank Avenue, the East Hills Railway Line to the south, and the Defence Joint Logistics Unit to the north and east. The site was previously developed and comprised low-rise buildings, including warehouses and administrative offices with direct frontage to Moorebank Avenue utilised by the Commonwealth as the Defence National Storage and Distribution Centre.

2.3 MPE Works Packages

The key components for the works within MPE are described in the following sections.

2.3.1 MPE Stage 1 Package 1

Package 1 includes the following key components:

- A northbound connection and a southbound connection to the South Sydney Freight Line (SSFL)
- Civil and earthworks, including remediation works and benching

- A reinforced earth wall and soil embankments within the Glenfield Waste Services landfill site
- A bridge over the Georges River
- A culvert crossing over Anzac Creek
- Installation of new Moorebank Avenue overbridge
- Service relocation and protection
- Track work
- Signalling systems
- Security fencing.

2.3.2 MPE Stage 1 Package 2

Package 2 IMEX includes the following key components:

- Truck processing, holding and loading areas - entrance and exit from Moorebank Avenue
- Rail loading and container storage areas – 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.

2.3.3 MPE Stage 2

MPE Stage 2 includes the following key components:

- Warehousing and distribution facilities, including a freight village for ancillary retail, commercial and light industrial land uses
- Internal road network and hardstand across the site
- Ancillary supporting infrastructure within the site
- Moorebank Avenue upgrade
- Intersection upgrades along Moorebank Avenue.

3 SCOPE OF REPORTING

The physical works that have been undertaken during the 23 June 2020 to 22 June 2021 reporting period are outlined below.

3.1.1 MPE Stage 1

Construction activities for both of the MPE Stage 1 packages are substantially complete. The following works have been undertaken during the reporting period:

- Construction of the Glenfield Waste Services rail link underpass
- Rail ballast tamping to rail track
- Landscaping works
- IMEX east interface works
- Installation of chain wire fencing, gates and electrical equipment
- Defect rectification works.

3.1.2 MPE Stage 2

The following works have been undertaken during the reporting period:

- Bulk earthworks including importation of clean general fill and engineered fill in the southern portion of the site
- Demolition of existing onsite temporary construction buildings
- Installation of hardstand and internal road furniture
- Installation of on-site detention (OSD) and drainage infrastructure
- Partial removal of disused rail spur at the southern end of the site
- Construction and internal fit-out of Warehouses 1, 3, 4 and 5
- Landscaping around Warehouses 1, 3, 4 and 5

3.1.3 MPE Operational Activities

The MPE Stage 1 terminal facility is operational in manual mode and will progressively develop to integrate the automation function. The MPE Stage 1 IMEX terminal operations will progress from 250,000 twenty-foot equivalent units (TEU) per annum up to 500,000 TEU per annum, however, current operational activities are limited to approximately two rail movements per day and manual handling of containers on site. The automation phase of container handling operations is being implemented progressively.

Warehouse operations have also commenced onsite at Warehouses 1, 3, 4 and 5.

3.2 Contractors

Works contractors on-site during the reporting period are shown in Table 1, indicating the start and finish date and key activities.

Table 1 – Details of contractors working on MPE site

Contractor	Package	Start Date	Finish Date	Key Activities
Fulton Hogan	IMEX No.1	Sep 2017	TBC	Bulk earthworks (including placement of imported fill and undertaking cut to fill), installation of drainage and utilities and pavement works.
	Stage 2	July 2018	TBC	
CPB	MPE 1	July 2017	March 2021	Rail West Compound (GWS Compound) set-up, bulk earthworks, construction of rail link (including within IMEX No. 1) and defects rectification.
Hansen Yuncken	W1P & Area 2	May 2018	December 2020	Warehouse 1 construction and fit-out. Warehouse 3 and 4 construction and fit-out (including drainage infrastructure works in Area 3 and 5 which will support Area 2 warehouse construction). Bulk earthworks (including placement of imported fill and undertaking cut to fill), installation of drainage and utilities for warehouses 6, 7 and 8 (warehouses not yet constructed). Construction of onsite detention basin 2 in the southern portion of the MPE Site.
BMD	MPE 2	July 2019	TBC	Detailed design and construction for Moorebank Avenue Upgrade.
Qanstruct	MPE 2	January 2020	December 2020	Warehouse 5 construction and fit-out.
Knight Frank	MPE 2	February 2021	TBC	Maintenance and security of warehouses 6, 7 and 8 pads. Estate management of operational areas.

4 NEWLY IDENTIFIED ENVIRONMENTAL RISKS

No new environmental risks were identified during the reporting period.

5 COMPLIANCE SUMMARY

5.1 Independent Audit, Potential Breach & Warning Letters

No independent audits were undertaken in the reporting period.

No Potential Breach of Approval Conditions Letters or Warning Letters under EPBC 2011/6229 were received in the reporting period.

5.2 Conclusion

At the completion of this compliance reporting period, it has been deemed that there are no non-compliance issues identified and works were undertaken in accordance with the Commonwealth Conditions of Approval (EPBC 2011/6229) and management plans, as demonstrated by the compliance table located in Appendix A.

APPENDIX A - COMPLIANCE TRACKING – COMMONWEALTH CONDITIONS OF CONSENT

Moorebank Intermodal Terminal Project - MPE (EPBC 2011/6229)

Condition No.	Condition	Timing for Compliance	Compliance Status	Evidence / Comments
1	For the better protection of the *GHFF* , the person taking the action must: a) not clear more than 11 hectares of GHFF foraging habitat; b) engage a suitably qualified expert to undertake a pre-clearance survey(s) to confirm the absence of GHFF roosting camps within the rail easement, no more than 48 hours prior to the clearance of potential GHFF roosting habitat; and c) notify the Department in writing of the results of pre-clearance surveys. If the GHFF is detected roosting on site, all native vegetation clearance activities must halt until the person taking the action has complied with any directions the Minister may wish to issue regarding timing of construction or methods for dispersal of the GHFF.	During construction	Compliant	The assessment documentation for the MPE Stage 1 and MPE Stage 2 developments was developed to ensure that no more than 11 ha of GHFF habitat would be cleared. Approximately 9.88ha of GHFF habitat has been cleared on the MPE site to date. Pre-clearance surveys have been undertaken by the project ecologist in accordance with Section 5.1 of the MPE Stage 1 (IMEX) Construction Flora and Fauna Management Plan (CFFMP), Section 7.3 of the MPE Stage 1 (RALP) CFFMP and Appendix A of the MPE Stage 2 CFFMP. No GHFF have been detected roosting on site prior to or during clearing activities.
2	For the better protection of the *Macquarie Perch* , the person taking the action must: a) engage a suitably qualified expert to design (or provide input on the design of) all crossings which are proposed to be implemented across Macquarie Perch habitat. Any such crossings must be of a suitable design that provides for the passage requirements of Macquarie Perch; and b) implement all feasible and practicable measures that ensure sedimentation and / or erosion (as a result of the proposed action) do not lead to any further reductions in the water quality, or degradation of, Macquarie Perch habitat.	Prior to the commencement of construction	Compliant	The rail link design report for MPE Stage 1 identifies the requirement to ensure protection of Macquarie Perch and to allow passage in line with this condition. It is noted that the Anzac Creek culvert has been designed to follow the natural shape of the channel and scour protection will be installed at the outlets to minimise erosion. A single causeway design was developed for instream works within Georges River, as detailed in the MPE Stage 1 project's design report for Georges River and the Project Specific Procedure for Georges River. The design maintains an 18 metre channel between the causeway and western river bank, so as to permit connectivity and passage for Macquarie Perch. The causeway has since been removed. The requirements of this condition are also included in the MPE Stage 1 (RALP) CFFMP as approved by DotEE on 24 May 2017 and the MPE Stage 1 (RALP) Construction Soil and Water Management Plan (CSWMP) as approved by DPIE on 11 May 2017. Not applicable to the IMEX scope of works under MPE Stage 1 or the MPE Stage 2 scope of works. Macquarie Perch has not been found within the MPE site boundary and there are no aquatic or riparian habitats are present at the IMEX or MPE Stage 2 site. Erosion and sediment control during construction is managed by the approved MPE Stage 1 (IMEX) CSWMP and approved MPE Stage 2 CSWMP in order to minimise impacts to the surrounding environment, including nearby Macquarie Perch habitat.

Moorebank Intermodal Terminal Project - MPE (EPBC 2011/6229)

Condition No.	Condition	Timing for Compliance	Compliance Status	Evidence / Comments
3	For the better protection of *Hibbertia sp* . *Bankstown* , the person taking the action must engage a *suitably qualified expert* to undertake a targeted search for individuals of *Hibbertia sp.* *Bankstown* within all areas of potential habitat during the species' flowering period.	Prior to the commencement of construction	Compliant	The MPE Stage 1 Biodiversity Assessment Report (BAR), prepared by Hyder Consulting (2015) and the revised Moorebank Project East Stage 1 Biodiversity Assessment Report, prepared by Arcadis (dated 3 October 2017) included targeted surveys for *Hibbertia* sp. Bankstown, which did not record any results in the study area. The revised Moorebank Precinct East Stage 2 Biodiversity Assessment Report (BAR), prepared by Arcadis (dated 16 November 2017) states that the presence of *Hibbertia* sp. Bankstown is unlikely to occur within the project footprint and no further action was required. The BAR and all targeted surveys were prepared and undertaken by suitably qualified ecologists from Arcadis.
4	For the better protection of *Bynoe's Wattle* , the person taking the action must engage a *suitably qualified expert* to undertake a field habitat assessment that targets the ecological requirements of *Bynoe's Wattle* , in all areas of Castlereagh Scribbly Gum Woodland likely to be cleared as a result of the proposed action. If the assessment determines there is potential for the species to occur on site, then a *suitably qualified expert* must undertake a targeted search for individuals of *Bynoe's Wattle* within all areas of potential habitat identified by the habitat assessment during the species' flowering period.	Prior to the commencement of construction	Compliant	The MPE Stage 1 Biodiversity Assessment Report (BAR), prepared by Hyder Consulting (2015) and the revised Moorebank Project East Stage 1 Biodiversity Assessment Report, prepared by Arcadis (dated 3 October 2017) included targeted surveys for Bynoe's Wattle, which did not record any results in the study area. The revised Moorebank Precinct East Stage 2 Biodiversity Assessment Report (BAR), prepared by Arcadis (dated 16 November 2017) included targeted surveys for Bynoe's Wattle. The species was not found within MPE stage 2 site during targeted surveys; however populations of the species were recorded to the south and east. The BAR and all targeted surveys were prepared and undertaken by suitably
5	For the better protection of *EPBC listed flora* & the environment on Commonwealth land, the person taking the action must engage a *suitably qualified expert* to prepare a Flora and Fauna Management Plan (FFMP) for the approval of *the Minister* . The FFMP must include (but need not be limited to): a) details on the timing of native vegetation clearance works; b) detailed maps of the rail link easement and construction zone showing: i. permanent infrastructure and temporary works; ii. no-go areas; and iii. physical barriers used for the protection of native vegetation on Commonwealth land, and of EPBC Act listed Nodding Geebung and Small-flower Grevillea. c) measures to minimise the extent of native vegetation clearing upon Commonwealth land and the clearing of Nodding Geebung and Small-flower Grevillea; d) provisions to ensure no more than 17 individuals of Nodding Geebung and 634 stems of Small-flower Grevillea are cleared; e) the results of targeted surveys for Hibbertia sp. Bankstown and Bynoe's Wattle (including the number of individuals recorded) and what measures will be implemented to avoid, mitigate and manage impacts to these species, if individuals are found on site; f) measures which allow terrestrial fauna to disperse naturally ahead of clearing activities, and minimise the risk of injury to individuals g) actions to maintain or enhance the long-term viability of native vegetation adjoining the rail easement in particular, adjoining populations of Nodding Geebung and Small-flower Grevillea; h) measures to safeguard flora and fauna from the threat of weeds, fire, pathogens and unauthorised access, including (but not limited to) the commitments outlined in section 7.4.1 of the EIS (and summarised at Annexure A); i) ongoing monitoring to inform the adaptive management of native vegetation adjoining the rail easement. Native vegetation clearance must not occur until the FFMP has been approved. The FFMP must be implemented once approved	Prior to the commencement of construction	Compliant	The MPE Stage 1 (IMEX) CFFMP and MPE Stage 1 (RALP) CFFMP were prepared by suitably qualified experts and approved by a delegate of the Minister on 24 May 2017. The MPE Stage 2 CFFMP (dated 23 August 2019) was prepared by suitably qualified experts and approved by DotEE on 27 September 2019 in accordance with this condition. The Moorebank Precinct East Operational Flora and Fauna Management Plan (dated 2 September 2019) was prepared by suitably qualified experts and approved by DotEE on 20 September 2019 in accordance with this condition. The Annual Flora and Fauna Monitoring Report (dated 11 May 2021) has been prepared to address this condition.

Moorebank Intermodal Terminal Project - MPE (EPBC 2011/6229)

Condition No.	Condition	Timing for Compliance	Compliance Status	Evidence / Comments
6	For the better protection of *Nodding Geebung, Small-flower Grevillea* (and potentially, *Hibbertia sp. Bankstown* and *Bynoe's Wattle* pending the outcome of 3 and 4) the person taking the action must engage a suitably qualified expert to prepare a Threatened Flora Offset Management Plan (TFOMP) (or plans) for the approval of the Minister. The TFOMP must include (but need not be limited to): a) details of a direct offset that satisfies the requirements of the Department's offset policy, in accordance with the offset user guide (including timeframes for the delivery or acquisition of the direct offset); b) map(s) and shapefiles that identify the location and boundaries of the direct offset; c) details of the management actions and performance objectives which will maintain and enhance the Nodding Geebung and Small-flower Grevillea habitat and/or population covered by the TFOMP (including the duration, intensity, and timing of management actions); d) an assessment of the baseline population and distribution for Nodding Geebung and Small-flower Grevillea within the direct offset, including: i. the number of plants protected and their location; and ii. plant and habitat condition. e) measures for regular monitoring of the status of individuals of Nodding Geebung and Small-flower Grevillea and their habitat as measured against the baseline population and distribution, including: i. fluctuations in population size and distribution; and ii. response to disturbances and/or management actions. f) provisions to revise the approved TFOMP in response to monitoring associated with condition 6(e); Native vegetation clearance must not occur until the TFOMP has been approved. The TFOMP must be implemented once approved. Should the action result in, or be likely to result in, residual impacts to Hibbertia sp. Bankstown or Bynoe's Wattle (as determined by the Minister), the TFOMP must also demonstrate how it meets the standards described in (a) to (f), for these two species.	Prior to the commencement of construction	Compliant	The TFOMP was prepared by suitably qualified experts and approved by DotEE on 29 August 2017. The Annual Flora and Fauna Monitoring Report (dated 11 May 2021) has been prepared to address this condition.
7	For the better protection of Commonwealth land, the person taking the action must engage a *suitably qualified expert(s)* to prepare a Construction Environment Management Plan (CEMP), for the approval of *the Minister* . The CEMP must include in relation to construction of the proposed facility: a) details on the timing of construction works (accompanied by current and detailed maps); b) identification and quantification of all potential impacts associated with noise, vibration, air quality, traffic, light spill, hydrological changes, contamination, and indigenous heritage (including cumulative impacts associated with the *DoF's* proposed intermodal) upon Commonwealth land. Consideration must be given to people and communities at *SME, DNSDC* , Defence housing, and the environment more generally in neighbouring bushland areas. Of note, the air quality assessment must quantify all emissions arising from air pollutant sources for which there are established national air quality standards; c) the results of further investigations with regard to land contamination and indigenous heritage impacts (specifically, *PADs* two and three). If adverse impacts are identified, details on how such matters will be managed / mitigated must also be provided. Evidence of ongoing consultation with *RAPs* regarding further investigations for indigenous heritage objects/places must be provided; d) refined details (including implementation timeframes) for the mitigation measures outlined in the *EIS* (sections 7.4.2, 7.4.3, 7.4.6, 7.4.7, 7.4.8 and 7.4.9) and summarised at Annexure A; e) a commitment to ensure no lights are installed above the height of 40 metres or, the maximum approved height of the intermodal warehouse buildings (whichever is less); f) identification of the trigger values and criteria for all matters mentioned in condition 7(b) (excluding light spill, land contamination and indigenous heritage) that will be adopted for monitoring and managing potential impacts to Commonwealth land; g) details of a comprehensive monitoring program (including locations, frequency and duration) for: i. validating the anticipated impacts associated with condition 7(b); and ii. determining the effectiveness of proposed mitigation/management measures; h) provisions to revise the approved CEMP in response to monitoring associated with condition 7(g) including, details of response / contingency mechanisms to address any exceedances of the relevant trigger values; i) evidence of consultation with *Defence* regarding the adequacy of proposed mitigation measures in particular, those measures to mitigate potential light spill impacts upon residential dwellings within *SME* outside of *standard construction hours* ; and j) details of a complaints handling procedure;	Prior to the commencement of construction	Compliant	The MPE Stage 1 (IMEX) CEMP and MPE Stage 1 (RALP) CEMP were prepared by suitably qualified persons in accordance with the condition and approved by DotEE on 24 May 2017. The following MPE Stage 2 construction management plans were approved by DotEE on 27 September 2019 as meeting the requirements of this condition. MPE Stage 2 Construction Environmental Management Plan (dated 30 August 2019) MPE Stage 2 Construction Traffic and Access Management Plan - Phase B (dated 9 August 2019) MPE Stage 2 Construction Noise and Vibration Management Plan (dated 6 August 2019) MPE Stage 2 Contamination Management Plan (dated 26 September 2019) MPE Stage 2 Construction Soil and Water Management Plan (dated 8 August 2019) MPE Stage 2 Construction Air Quality Management Plan (dated 20 August 2019) MPE Stage 2 Construction Heritage Management Plan (dated 5 August 2019) The following revised MPE Stage 2 Construction Management Plans were approved by DAWE on 25 November 2020: MPE Stage 2 Construction Environmental Management Plan (dated 23 July 2020) MPE Stage 2 Construction Flora and Fauna Management Plan (dated 7 August 2020) MPE Stage 2 Construction Traffic and Access Managment Plan (dated 7 August 2020)

Condition No.	Condition	Timing for Compliance	Compliance Status	Evidence / Comments
	Commencement of the action may not occur until the CEMP has been approved. The CEMP must be implemented once approved.			August 2020) MPE Stage 2 Construction Noise and Vibration Management Plan (dated 30 October 2020) MPE Stage 2 Construction Soil and Water Managment Plan (dated 7 August 2020) MPE Stage 2 Construction Air Quality Management Plan (dated 6 August 2020) MPE Stage 2 Construction Heritage Management Plan (dated 30 October
8	For the better protection of Commonwealth land, the person taking the action must engage a *suitably qualified expert(s)* to prepare an Operation Environment Management Plan (OEMP) for the approval of *the Minister* . The OEMP must include in relation to operation of the proposed facility: a) identification and quantification of all potential impacts associated with noise, vibration, air quality, traffic and light spill (including cumulative impacts associated with the DoF's proposed intermodal) upon Commonwealth land. Consideration must be given to people and communities at *SME* , *DNSDC* , Defence housing, and the environment more generally in neighbouring bushland areas. Of note, the air quality assessment must quantify all emissions arising from air pollutant sources for which there are established national air quality standards; b) refined details (including implementation timeframes) for the mitigation measures outlined in the EIS (sections 7.4.2, 7.4.6, 7.4.7, 7.4.8 and 7.4.9) and summarised at Annexure A; c) refined details of how heavy vehicles entering and exiting the site will be processed, including information on access and circulation both into, and within, the intermodal facility grounds; d) measures to ensure no heavy vehicles entering or exiting the intermodal facility park, or wait, on Moorebank Avenue; e) identification of the trigger values and criteria for all matters mentioned in condition 8(b) (excluding light spill) that will be adopted for monitoring and managing potential impacts to those Commonwealth land; f) details of a comprehensive monitoring program (including locations, frequency and duration) for: i. validating the anticipated impacts associated with condition 8(b); and ii. determining the effectiveness of mitigation/management measures (including the success of public transport incentives); g) provisions to revise the approved OEMP in response to monitoring associated with condition 8(f) including, details of response / contingency mechanisms to address any exceedances of the relevant trigger values; h) evidence of consultation with Defence regarding the adequacy of proposed mitigation measures; i) details of a complaints handling procedure; Commencement of operations may not occur until the OEMP has been approved. The OEMP must be implemented once approved.	Prior to the commencement of operation	Compliant	The following operational management plans for the Moorebank Precinct East site were approved by DotEE on 20 September 2019 as meeting the requirements of this condition. Moorebank Precinct East Operation Environmental Management Plan (dated 17 September 2019) Moorebank Precinct East Operation Noise and Vibration Management Plan (dated 28 August 2019) Moorebank Precinct East Container Noise Barrier Management Plan (dated 19 June 2019) Moorebank Precinct East Operation Traffic and Access Management Plan(dated 29 August 2019) Moorebank Precinct East Stage 2 Operation Community Consultation Strategy (dated 23 May 2019) Moorebank Precinct East Stage 1 Urban Design and Landscape Plan (dated 29 August 2019) Moorebank Precinct East Stage 2 Urban Design and Landscape Plan (dated 7 June 2019)
9	For the better protection of Commonwealth land, the person taking the action must enter into a written agreement with Defence that specifies the use and ongoing maintenance of Moorebank Avenue. Prior to commencement of the action the person taking the action must provide a copy of that agreement to the Department.	Prior to the commencement of operation	Compliant	At the execution of Financial Close between the Moorebank Intermodal Company and Qube on 25 January 2017, Moorebank Ave (Lot 2 DP1197707) was transferred within the Commonwealth from Defence to MIC by way of a lease, and Qube has a 99 year lease with MIC under the Development and Operations Deed from the date of financial close. This agreement was provided to DotEE (via email) on 7 July 2017.
10	Within one month after the commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement.	Within one month of commencing construction	Compliant	DotEE was notified (via email) of the commencement of construction on 22 July 2017.

Moorebank Intermodal Terminal Project - MPE (EPBC 2011/6229)

Condition No.	Condition	Timing for Compliance	Compliance Status	Evidence / Comments
11	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement any management plan, strategy, or agreement required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	Throughout design, construction and operation	Compliant	Noted. Compliance with this condition is affirmed in the Independent Audit Report prepared by Wolfpeak (dated 7 July 2019) and this compliance report.
12	Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans or agreements as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.	Within three months of every 12 month anniversary of the commencement of construction	Compliant	Noted. The Moorebank Intermodal Terminal Facility Commonwealth Compliance Report (23 June 2017 - 22 June 2018) (dated 21 August 2018) was provided to DotEE . This report is currently available on the SIMTA website. The Moorebank Intermodal Terminal Facility Commonwealth Compliance Report (23 June 2018 - 22 June 2019) (dated 5 September 2019) was provided to DotEE. This report is currently available on the SIMTA website. The Moorebank Intermodal Terminal Facility Commonwealth Compliance Report (23 June 2019 - 22 June 2020) (dated 22 September 2020) was provided to DotEE. This report is currently available on the SIMTA website. The Moorebank Intermodal Terminal Facility Commonwealth Compliance Report (23 June 2020 - 22 June 2021) (dated 27 September 2021) was provided to DAWE. This report is currently available on the SIMTA website.
13	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	Prior to commencement of construction	Not triggered	Noted. No such direction was recevied during the reporting period.
14	If the person taking the action wishes to carry out any activity otherwise than in accordance with any management plan specified in the conditions, the person taking the action must submit to the Department for the Minister's written approval a revised version of that management plan. The varied activity shall not commence until the Minister has approved the varied management plan in writing. The Minister will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised management plan, then that management plan must be implemented in place of the management plan originally approved.	During construction	Compliant	The activity continues to be undertaken in accordance with the approved management plans.
15	If the Minister believes that it is necessary or convenient for the better protection of Listed Threatened species or the environment on Commonwealth land to do so, the Minister may request that the person taking the action make specified revisions to any management plan, as specified in the conditions and submit the revised management plan for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plan must be implemented. Unless the Minister has approved the revised management plan, then the person taking the action must continue to implement the management plan originally approved, as specified in the conditions.	During construction	Not triggered	Noted. No such request was received during the reporting period.
16	If, at any time after five years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.	Prior to 6 March 2019	Compliant	Noted. Construction under the approved action commenced within 5 years of the date of the approval.

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Condition No.	Condition	Timing for Compliance	Compliance Status	Evidence / Comments
17	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all management plans referred to in these conditions of approval on their website. Each management plan must be published on the website within one month of being approved.	Within one month of management plan approval	Compliant	Approved management plans have been published on the website.