

MOOREBANK INTERMODAL TERMINAL FACILITY COMMONWEALTH COMPLIANCE REPORT

EPBC Approval No. 2011/6229

Reporting Period: 23 June 2017 to 22 June 2018

21 AUGUST 2018



CONTACT

KETAN PATEL
Senior Environmental
Consultant

T 02 8907 2687
M 04 5092 2016
E ketan.patel@arcadis.com

Arcadis
Level 16/580 George Street,
Sydney | NSW 2000

QUBE HOLDINGS LIMITED MOOREBANK INTERMODAL TERMINAL FACILITY COMMONWEALTH COMPLIANCE REPORT

EPBC Approval No. 2011/6229

Author	Author Name	Mackenzie Barton
Checker	Checker Name	Heather Tilley
Approver	Approver Name	Heather Tilley
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This report has been prepared for Tactical Group in accordance with the terms and conditions of appointment for Moorebank Precinct East Stage 1 and Stage 2 dated 7 October 2016. Arcadis Australia Pacific Pty Limited (ABN 76 104 485 289) cannot accept any responsibility for any use of or reliance on the contents of this report by any third party

Declaration of Accuracy

In making this declaration, I am aware that sections 490 and 491 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed _____



Full name (please print) Position (please print) MICHAEL YIEND
DIRECTOR DEVELOPMENT

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

Qube Holdings Limited (ACN: 149 723 053)

Date _____

12/9/18

Revisions

Revision	Date	Description	Prepared by	Approved by
001	14/08/2018	Draft for Client Review	MB	HT
002	21/08/2018	Submission to DotEE	MB	HT

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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: <ul style="list-style-type: none">• Qube Holdings Limited (ACN: 149 723 053); and• Aurizon Holdings Limited (ACN: 146 335 622)
Approved Action:	To construct and operate the 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	
Reporting Period	23 June 2017 to 22 June 2018
Report date	August 2018

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 and this report summarises construction progress and compliance against the relevant CoA for the reporting period 23 June 2017 to 22 June 2018. Compliance with the CoA is provided in Appendix A

This report has been prepared by Arcadis with input from SIMTA and the 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 (RALP)
- MPE Stage 1, Package 2 – construction of the import-export terminal (IMEX)
- MPE Stage 2 – construction of warehousing

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 Central Business District (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 former Defence National Storage and Distribution Centre to the north and east. The site was previously developed and comprises low-rise buildings, including warehouses and administrative offices with direct frontage to Moorebank Avenue. The site is situated on relatively flat topography, however a low hill is present to the east of the MPE site.

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: RALP

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 viaduct over a section of the Glenfield Waste Services(GWS) landfill site
- A bridge over the Georges River
- A culvert crossing over Anzac Creek
- Installation of new Moorebank Avenue overbridge
- Service relocation and protection

- Track work
- Signalling systems
- Security fencing.

2.3.2 MPE Stage 1 Package 2: IMEX

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:

- Construction and operation of 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 2017 to 22 June 2018 reporting period are outlined below.

3.1.1 MPE Stage 1 Package 1 (RALP)

Works undertaken during the reporting period are:

- Compound Establishment (clearing, fencing, screening and 1:4 batters where required)
- Project clearing works from east of Georges River.
- Utility installation and drainage works
- Macroinvertebrate aquatic monitoring in accordance with the project Flora and Fauna Management plan
- Nest box monitoring in accordance with the project's Flora and Fauna Management plan
- Piling of Moorebank Ave Underpass undertaken
- RALP Early Works commenced in GWS to construct widened embankment for northern connection, including sandstone importation and placement
- Commencement of piling works at the eastern side of Georges River

3.1.2 MPE Stage 1 Package 2 (IMEX)

Works undertaken during the reporting period are:

- Vegetation clearing
- Demolition
- Removal of decommissioned underground services
- Remediation
- Drainage construction
- Culvert and drainage works and backfill around completed structures

3.1.3 MPE Stage 2 – warehousing

During this reporting period, the Construction Environmental Management Plan (CEMP) and the associated sub-plans as required under the NSW State Approval (SSD 7628) were prepared and consultation with the relevant stakeholders was undertaken.

As the CEMP and associated sub-plan had not be approved during the reporting period, no physical works on MPE Stage2 has commenced.

3.2 Contractors

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 Stage 1

Contractor	Package	Start date	Finish date	Key activities
Liberty Industrial	IMEX No.1	05/07/17	25/11/17	Demolition activities associated with Priority Areas 1-7
Fulton Hogan	IMEX No.1	15/09/17	TBC	Site compound set-up, Bulk Earthworks, Culvert base construction and installation of box culvert units
CPB	RALP No. 1	10/07/17	TBC	Site compound set-up, Bulk Earthworks, construction of rail link
CARAS	IMEX No.1/ RALP No.1	08/05/17	TBC	Site Safety Audits/Independent Material Verification
Elton Consulting	Stage 1	30/06/16	TBC	Community consultation
Hansen Yuncken	Stage 2	TBC	TBC	Warehouse construction

4 NEWLY IDENTIFIED ENVIRONMENTAL RISKS

4.1 Unexpected Finds

Unexpected asbestos finds have been identified across the site, as well as in anthropogenic fill, and buried services constructed out of asbestos containing material (ACM).

The unexpected contamination finds were managed in accordance with Remediation Action Plan (RAP), that is, works stopped immediately and the area delineated and signposted. An asbestos hygienist was notified to inspect the find and remove the asbestos under restricted access and conditions with correct asbestos removal protective equipment. The ACM was then classified and removed and disposed of by licensed and approved contractors. The hygienist provided clearance and validation of contaminated areas and will include the unexpected finds in the final validation reports to be presented to the NSW EPA Accredited Site Auditor under the *Contaminated Land Management Act* (1997).

The risk of asbestos finds and appropriate management of asbestos is outlined within the induction and site staff were reminded of the requirements during pre-starts when necessary as general awareness and prior to ground breaking activities.

5 COMPLIANCE SUMMARY

5.1 Conclusion

At the completion of this compliance reporting period, it has been deemed that there are no outstanding non-compliance issues identified and works were undertaken in accordance with the Commonwealth Conditions of Approval as demonstrated by the Compliance Tables located in of Appendix A.

APPENDIX A

Compliance Tracking – Commonwealth Conditions of Consent

Condition Number/Reference	Condition	Compliance Status	Evidence/Comments
1	<p>For the better protection of the Grey-headed Flying-fox (GHFF), the person taking the action must:</p> <p>a) not clear more than 11 hectares of GHFF foraging habitat;</p> <p>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</p> <p>c) notify the Department in writing of the results of pre-clearance surveys.</p> <p>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.</p>	Ongoing	<p>The EIS has been developed to ensure that no more than 11 ha of GHFF habitat will be cleared.</p> <p>Requirement has been added to the project's Flora and Fauna Management Plan (CFFMP) approved by DotEE on 24/05/2017. The author credentials are listed within the CFFMP.</p> <p>Approximately 1.9 hectares of GHFF has been cleared to date as recorded by the project ecologist in project pre clearance surveys.</p> <p>Requirement has been incorporated in the approved CFFMP and all clearing activities within potential foraging habitat has to date complied with this requirement.</p> <p>All pre clearance surveys undertaken on the project to date have been supplied to the principal. Compliance with this condition is being managed by the principal.</p>
2	<p>For the better protection of the Macquarie Perch, the person taking the action must:</p> <p>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</p> <p>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.</p>	Compliant	<p>No GHFF has been detected roosting on site prior to or during clearing activities on the project.</p> <p>The rail link design report 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.</p> <p>A single causeway design was developed for instream works within Georges River and was to be launched from the eastern embankment. The design, as detailed in the project's design report for Georges River and the Project Specific Procedure for Georges River, will maintain an 18 metre channel between the causeway and western river bank, so as to permit connectivity and passage for Macquarie Perch.</p> <p>Requirement has been incorporated into the project CFFMP as approved by DotEE on 24/05/2017. The author credentials are listed within the CFFMP.</p> <p>This requirement was incorporated into the project's CFFMP approved by DotEE on 24/05/2017 and the project's Soil and Water Management Plan (CSWMP) approved by NSW Department of Planning & Environment on 11/05/2017.</p> <p>All construction activities in proximity to and within the Georges River has been carried out in consultation with the project's Soil Conservationist so as to minimise reduction in water quality and to comply with this condition.</p> <p>Site inspections and instream monitoring of Georges River, as per the project's CSWMP, have to date not identified exceedances or reduction in water quality directly attributed to the project's construction activities. There was a pollution event in February 2018, namely turbid water within the Georges River, as reported by the project team to the NSW EPA. Following investigations it was considered that this event was not able to ascertain the cause of the pollution event, but could not be directly attributed to the project activities.</p>
3	<p>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.</p>	Compliant	<p>The Biodiversity Assessment Report prepared by (Hyder, 2015) included results of targeted surveys for Hibbertia sp. Bankstown in areas of potential habitat within the Project study area. The species was not recorded.</p> <p>Further surveys undertaken by Arcadis in October and November 2016 within the Boot Land south of the Project site also did not record this species.</p> <p>Requirement has been added to the project's Flora and Fauna Management Plan (CFFMP) approved by DotEE on 24/05/2017.</p>
4	<p>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.</p>	Compliant	<p>The Biodiversity Assessment Report prepared by (Hyder, 2015) included results of targeted surveys for Acacia bynoeana in areas of potential habitat within the Project study area. The species was not recorded.</p> <p>Further surveys undertaken by Arcadis in October and November 2016 within the Boot Land south of the Project site did record the species, but not in proximity to the Project site; the closest record was located 140 metres east of the Project site.</p> <p>Approximately 1.9 hectares of GHFF has been cleared to date as recorded by the project ecologist in project pre clearance surveys. Refer to the project's Biodiversity Assessment Report and Biodiversity Offset Package.</p>

5	<p>For the better protection of <i>EPBC listed flora</i> & the environment on Commonwealth land, the person taking the action must engage a <i>suitably qualified expert</i> to prepare a Flora and Fauna Management Plan (FFMP) for the approval of <i>the Minister</i>. The FFMP must include (but need not be limited to):</p> <p>a) details on the timing of <i>native vegetation clearance</i> works;</p> <p>b) detailed maps of the rail link easement and construction zone showing:</p> <ol style="list-style-type: none"> permanent infrastructure and temporary works; no-go areas; and physical barriers used for the protection of native vegetation on Commonwealth land, and of <i>EPBC Act</i> listed <i>Noddina Geebung</i> and <i>Small-flower Grevillea</i>. <p>c) measures to minimise the extent of native vegetation clearing upon Commonwealth land and the clearing of <i>Nodding Geebung</i> and <i>Small-flower Grevillea</i>;</p> <p>d) provisions to ensure no more than 17 individuals of <i>Nodding Geebung</i> and 634 stems of <i>Small-flower Grevillea</i> are cleared;</p> <p>e) the results of targeted surveys for <i>Hibbertia sp.</i>, <i>Bankstown</i> and <i>Bynoe's Wattle</i> (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;</p> <p>f) measures which allow terrestrial fauna to disperse naturally ahead of clearing activities, and minimise the risk of injury to individuals;</p> <p>g) actions to maintain or enhance the long-term viability of native vegetation adjoining the rail easement in particular, adjoining populations of <i>Noddina Geebung</i> and <i>Small-flower Grevillea</i>;</p> <p>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 <i>EIS</i> (and summarised at Annexure A);</p> <ol style="list-style-type: none"> ongoing monitoring to inform the adaptive management of native vegetation adjoining the rail easement. <p>Native vegetation clearance must not occur until the FFMP has been approved. The FFMP must be implemented once approved.</p>	Compliant	Both IMEX and RALP have submitted their respective CFFMPs to DotEE. Initial comments have been received, addressed and resubmitted. DotEE Approved this document on 24/05/2017 These plans have been implemented and are reviewed accordingly to ensure continued compliance
6	<p>For the better protection of <i>Nodding Geebung</i>, <i>Small-flower Grevillea</i> (and potentially, <i>Hibbertia sp.</i>, <i>Bankstown</i> and <i>Bynoe's Wattle</i>) 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):</p> <p>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);</p> <p>b) map(s) and shapefiles that identify the location and boundaries of the direct offset;</p> <p>c) details of the management actions and performance objectives which will maintain and enhance the <i>Nodding Geebung</i> and <i>Small-flower Grevillea</i> habitat and/or population covered by the TFOMP (including the duration, intensity, and timing of management actions);</p> <p>d) an assessment of the baseline population and distribution for <i>Nodding Geebung</i> and <i>Small-flower Grevillea</i> within the direct offset, including: i. the number of plants protected and their location; and ii. plant and habitat condition.</p> <p>e) measures for regular monitoring of the status of individuals of <i>Nodding Geebung</i> and <i>Small-flower Grevillea</i> and their habitat as measured against the baseline population and distribution, including:</p> <ol style="list-style-type: none"> fluctuations in population size and distribution; and response to disturbances and/or management actions. <p>f) provisions to revise the approved TFOMP in response to monitoring associated with condition 6(e);</p> <p>Native vegetation clearance must not occur until the TFOMP has been approved. The TFOMP must be implemented once approved.</p> <p>Should the action result in, or be likely to result in, residual impacts to <i>Hibbertia sp.</i>, <i>Bankstown</i> or <i>Bynoe's Wattle</i> (as determined by the Minister), the TFOMP must also demonstrate how it meets the standards described in (a) to (f), for these two species.</p>	Compliant	A Threatened Flora Offset Management Plan was submitted to DotEE in August 2017 and approved by DotEE on 28/08/2017
7	<p>For the better protection of Commonwealth land, the person taking the action must engage a <i>suitably qualified expert(s)</i> to prepare a Construction Environment Management Plan (CEMP), for the approval of <i>the Minister</i>. The CEMP must include in relation to construction of the proposed facility:</p> <p>a) details on the timing of construction works (accompanied by current and detailed maps);</p> <p>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 <i>DoF</i>'s proposed intermodal) upon Commonwealth land. Consideration must be given to people and communities at <i>SME</i>, <i>DNSDC</i>, <i>Defence</i> 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;</p> <p>c) the results of further investigations with regard to land contamination and indigenous heritage impacts (specifically, <i>PADS</i> 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 <i>RAPs</i> regarding further investigations for indigenous heritage impacts must be provided;</p> <p>d) refined details (including implementation timeframes) for the mitigation measures outlined in the <i>EIS</i> (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;</p> <p>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);</p> <p>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;</p> <p>g) details of a comprehensive monitoring program (including locations, frequency and duration) for:</p> <ol style="list-style-type: none"> validating the anticipated impacts associated with condition 7(b); and determining the effectiveness of proposed mitigation/management measures; <p>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;</p> <p>i) evidence of consultation with <i>Defence</i> regarding the adequacy of proposed mitigation measures in particular, those measures to mitigate potential light spill impacts upon residential dwellings within <i>SME</i> outside of <i>standard construction hours</i>; and</p> <p>j) details of a complaints handling procedure;</p> <p>Commencement of the action may not occur until the CEMP has been approved. The CEMP must be implemented once approved.</p>	Compliant	Both IMEX and RALP submitted these respective CEMPs to DotEE in mid 2016. Initial comments were received, addressed and resubmitted. The project CEMP was prepared by a suitably qualified person in accordance with the condition and approved by DotEE on 24/05/2017. These plans have been implemented and are reviewed accordingly to ensure continued compliance

8	For the better protection of Commonwealth land, the person taking the action must engage a <i>suitably qualified expert(s)</i> to prepare an Operation Environment Management Plan (OEMP) for the approval of <i>the Minister</i> . 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 <i>SME, DNSDC</i> , 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.	Not applicable	The OEMP is currently being developed for approval of the Minister
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.	Compliant	Agreement reached and financial close announced 25 January 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.	Compliant	DotEE has been notified of the commencement of the action via email on the 22 July 2017
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.	Not applicable	Noted - Accurate records substantiating all activities associated with or relevant to the conditions of approval, are being maintained. The Department did not request any of the records during this reporting period.
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.	Compliant	Noted - This Report addresses this Condition and is the first annual report for this Approved Action
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.	Not applicable	Noted - the Minister has not provided direction that an independent audit is required during this reporting period. External independent audits and internal audits are carried out in line with the auditing programme provided in the Project CEMP's
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.	Compliant	Noted - updated CFFMP and CEMPs were submitted to the the Minister following the outcomes of the EDO Court Case (13 March 2018). MPES1 and MPES2 CEMP's were updated and issued to DotEE in June of 2018. No correspondence from DotEE has been received to date.
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.	Not applicable	Noted - The Minister has not requested that specified revisions to any management plan has been required during this 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.	Compliant	Noted. The action has commenced - the Minister was notified under CoA 10
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.	Compliant	Approved plans have been published on the project website. https://simta.com.au/documents-page/

