LOGOS

MOOREBANK PRECINCT WEST (SSD 7709)

Stage 2: Construction Compliance Report - #04

June 2022 – November 2022

ASPECT ENVIRONMENTAL

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Stage 2: Construction Compliance Report – #04

June 2022 - November 2022

Author(s)	[redacted]
Checker	[redacted]
Approver	[redacted]
Date	11/01/2023

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Acronyms

Acronym	Meaning
CCMRP	Construction Compliance Monitoring and Reporting Program
CCR	Construction Compliance Report
CoC	Condition(s) of Consent
CRPAR	Compliance Reporting Post Approval Requirements
DPE	Department of Planning and Environment
IPC	NSW Independent Planning Commission
MPE	Moorebank Precinct East
MPW	Moorebank Precinct West
SSD	State Significant Development
SSFL	Southern Sydney Freight Line

1. Introduction

This six-monthly construction compliance report (CCR) has been prepared to meet the requirements of the Moorebank Precinct West (MPW) Stage 2 (SSD 7709) development consent, specifically condition of consent (CoC) C14). The compliance reporting period is from June 2022 to November 2022.

1.1 Moorebank Logistics Park Overview

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 December 2021.

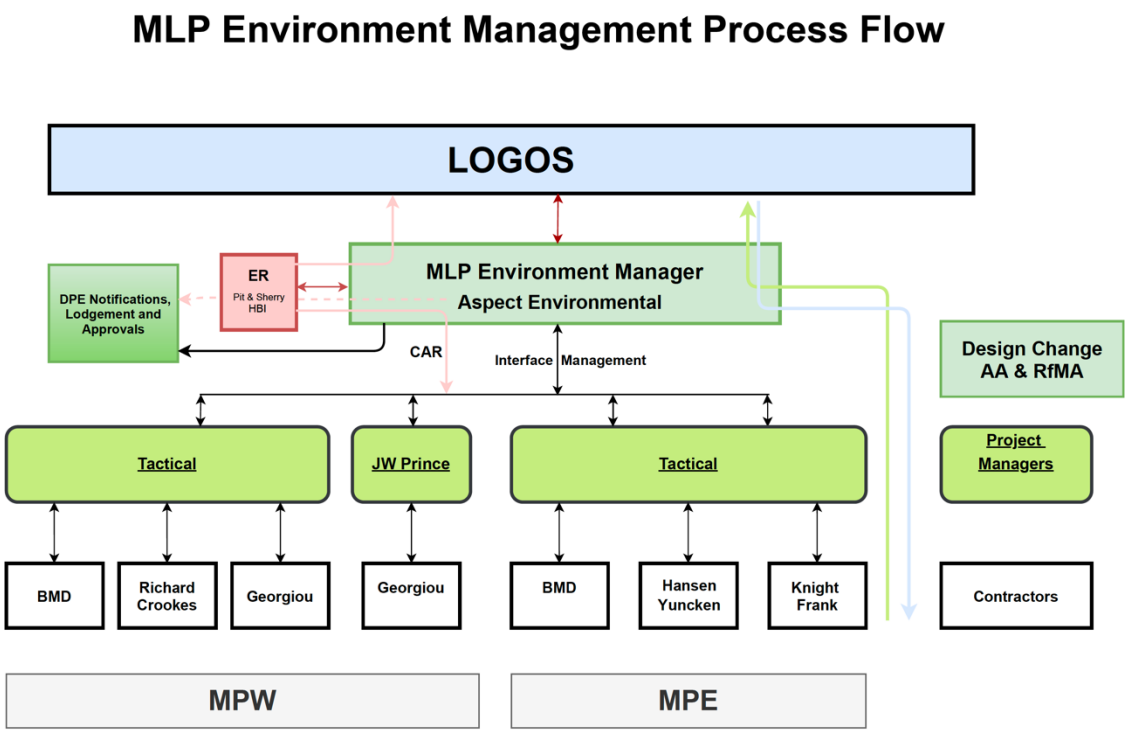

Figure 1-1 Environment management process flow across the MPE and MPW developments during the reporting period

1.2 Purpose and scope of the report

This CCR outlines the compliance status of the MPW Stage 2 development against the relevant SSD 7709 CoC and has been prepared in accordance with the Compliance Monitoring and Reporting Program (CMRP) required by CoC C14. The CMRP was issued to DPE for information on 20 January 2020.

This CCR has been prepared in accordance with Section 2.1 of DPE's Compliance Reporting Post Approval Requirements (CRPAR) 2018, as required by CoC C14. The structure of the CCR is:

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

Appendix A contains the compliance tracking table against the SSD 7709 CoC.

1.3 The MPW Stage 2 Development

Consent for the MPW Stage 2 (SSD 7709) development was issued by the Independent Planning Commission (IPC) on 11 November 2019. The MPW Stage 2 development involves the construction and operation of a multi-purpose intermodal terminal (IMT) facility, rail link connection, warehousing, freight village, and upgrades to the Moorebank Avenue and Anzac Road intersection.

SSD 7709 has been subject to the following modifications:

- MPW Stage 2 Modification 1 (SSD-7709-Mod-1), approved on 24 December 2020 - changes to operational footprint and warehouse building heights
- MPW Stage 2 Modification 2 (SSD-7709-Mod-2), approved on 30 September 2021 - adjustment of construction conditions to align with actual works needs.

The key components of the Development are:

- Construction and 24/7 operation of an intermodal terminal facility to support a container freight throughput volume of 500,000 twenty-foot equivalent units (TEUs) per annum, including:
    - a rail terminal with nine rail sidings and associated locomotive shifter
    - a rail link connection from the sidings to the rail link constructed under MPE Stage 1 (SSD 6766) to the Southern Sydney Freight Line (SSFL)
    - rail and truck container loading and unloading and container storage areas
    - truck waiting area and emergency truck storage area
    - container wash-down facilities and degassing area
    - mobile locomotive refuelling station

    - Engineer's workshop, administration facility and associated car parking.
- Operation of the IMT facility includes operation of the rail link to the SSFL and container freight movements by truck to and from the Moorebank Precinct East (MPE) Site.
- Construction and 24/7 operation of a warehousing estate on the northern part of the site servicing the IMT facility and including:
    - six warehouses with a total gross floor area of 215,000m^2 and, for each warehouse, associated offices, staff amenities, hardstands and truck and light vehicle parking
    - 800m^2 freight village (operating from 7am to 6pm, 7 days/week), including staff/visitor amenities
    - internal roads, noise wall, landscaping, lighting and signage
    - intersection upgrades on Moorebank Avenue at:
        - Anzac Road providing site access
        - Bapaume Road for left turn only out of the site.
- Construction and operation of on-site detention basins, bioretention/ biofiltration systems and trunk stormwater drainage for the entire site.
- Construction works and temporary ancillary facilities, including:
    - vegetation clearing, topsoil stripping and stockpiling and site earthworks and temporary on-site detention
    - importation of up to 1,600,000m^3 of uncompacted fill, temporary stockpiling and placement over the entire site to raise existing ground levels by up to 3m
    - materials screening, crushing and washing facilities
    - importation and placement of engineering fill and rail line ballast
    - installation and use of a concrete batching plant
    - utilities installation/ connection.

1.4 Site Location

The MPW Stage 2 Site is located on Moorebank Avenue, in the Liverpool local government area in New South Wales, approximately 27km south-west of the Sydney central business district and approximately 26km west of Port Botany.

The Site is generally described as the land immediately to the west of Moorebank Avenue and to the north of the East Hills passenger rail line, South of the M5 and east of the Georges River.

The Development location and overview are shown in Figure 1-2 and the indicative site layout areas are shown in Figure 1-3.

1.5 Key development contacts

In accordance with the requirements of 2018 CRPAR, the contact details for key personnel across the Development have bene provided in Table 1-1 below.

Table 1-1 Contact details of key personnel

Role	*Organisation*	*Name*	*Contact details*
Principal's Environmental Representative	Aspect Environmental	[redacted]	[redacted]
Terminals	Qube Logistics	[redacted]	[redacted]
Site Superintendent - MPW Earthworks	J. Wyndham Prince	[redacted]	[redacted]
Site Supervisor - MPW Earthworks	J. Wyndham Prince	[redacted]	[redacted]
Contractor Project Manager - MPW Earthworks	Georgiou	[redacted]	[redacted]
Contractor's Environmental Manager - MPW Earthworks	Georgiou	[redacted]	[redacted]
Site Supervisor - Project Janus	Tactical Group	[redacted]	[redacted]
Site Supervisor - Project Janus	Tactical Group	[redacted]	[redacted]
Contractor's Environmental Manager - Project Janus	Richard Crookes Constructions	[redacted]	[redacted]
Contractor's Environmental Manager - Project Janus	Richard Crookes Constructions	[redacted]	[redacted]
Environmental Representative – in accordance with CoC 37	Pitt & Sherry	[redacted]	[redacted]

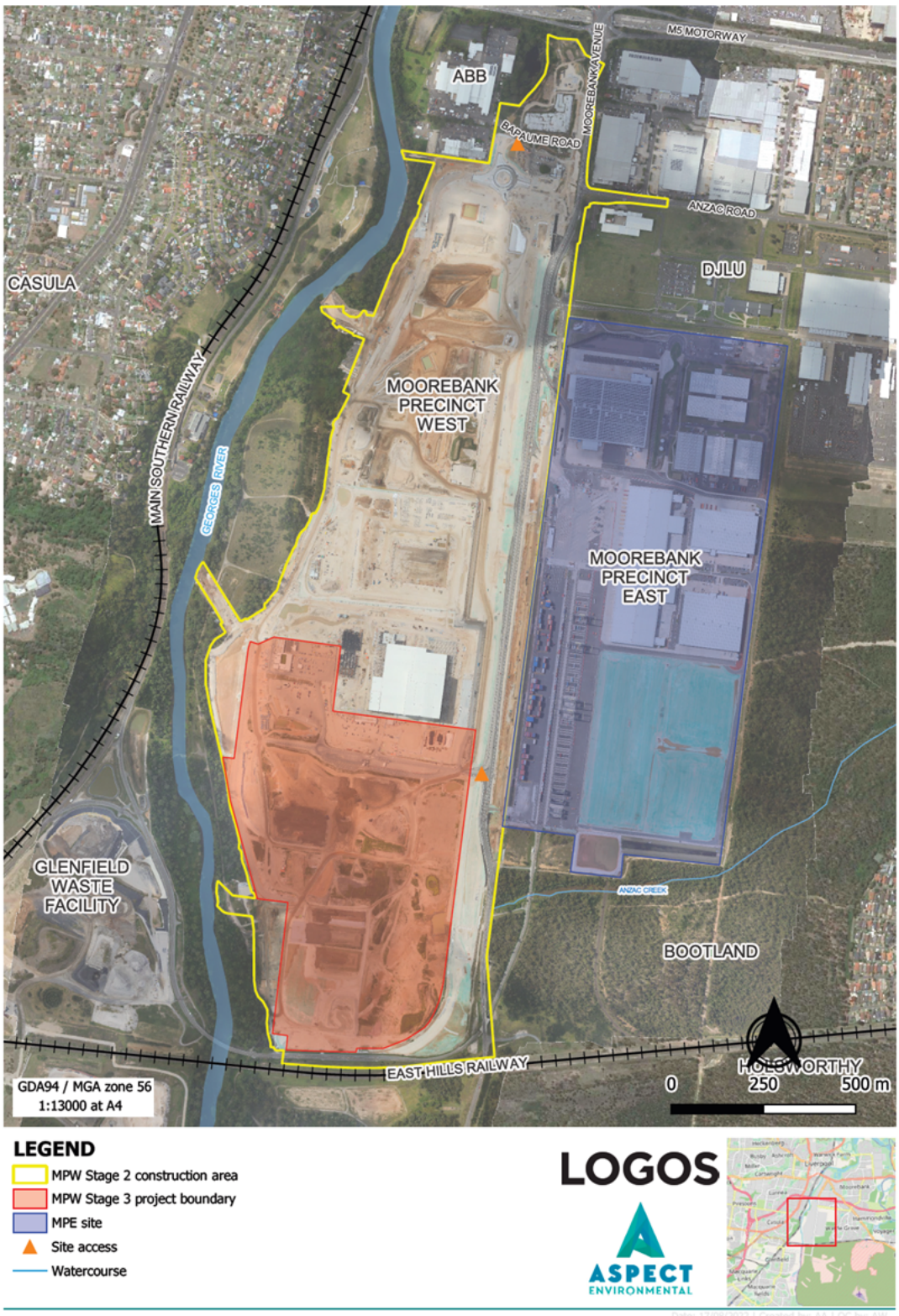

Figure 1-2 MPW 2 construction footprint

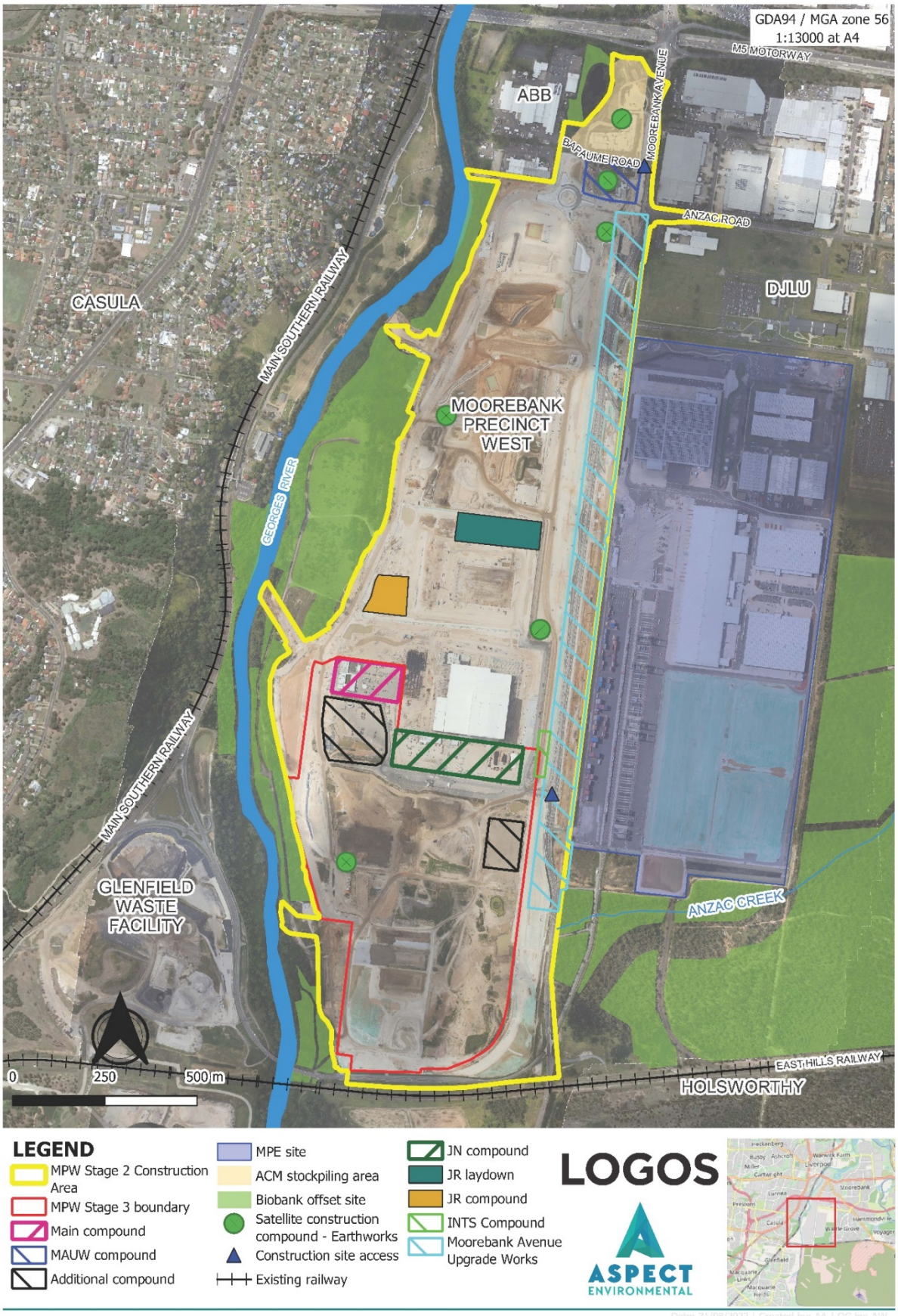

Figure 1-3 MPW Stage 2 site layout

1.6 Works Undertaken June 2022 – November 2022

The following construction works have been undertaken during the reporting period:

- Completion of the Loop Road roundabout concrete pavement
- Erection of noise wall (Loop Road section)
- Stormwater and utility installation
- Commencement of upgrade to Bapaume Road
- MAAI earthworks
- Environmental controls (basin management and dewatering).

1.7 Methodology for Data Collection

This compliance report has been prepared with input from Tactical Group, BMD, Martinus, Qube and LOGOS, in accordance with the CMRP 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. Development Compliance

2.1 Previous Actions

2.1.1 Construction Compliance Report #3

One non-compliance was identified as outstanding by the previous construction compliance report (CCR #3, 6 September 2022). The current status of the non-compliance is detailed in Table 2-1.

Table 2-1 Non-compliances from CCR#3 (September 2022)

CoC Ref	Type	Detail	Proposed or Completed Action	Current Status
B171	Non-compliance	Works on Western Ring Road had commenced in advance of the site audit report and site audit statement being issued for that area.	Project is actively engaging with the Site Auditor to achieve the finalisation of the site audit statement.	The site audit report and site audit statement were finalised on 26 September 2022. Both documents were submitted to DPE on 27 September 2022. Closed.

2.1.2 March 2022 Independent Audit

No independent audits were conducted during the reporting period. The next independent audit is scheduled to be completed in March 2023.

The third MPW Stage 2 Independent Audit was completed during the previous reporting period by Wolfpeak on 17 March 2022. The current status of non-compliances that remained outstanding within the previous period are detailed in Table 2-2.

Table 2-2 Non-compliances from the March 2022 Independent Audit

CoC Ref	Type	Detail	Proposed or Completed Action	Current Status
A26	Non-compliance	CoC A26 requires that all documentation provided to the certifier under A25 is submitted to the Planning Secretary. No evidence was provided of submission to the Planning Secretary.	Submit documentation required under A25 to the Planning Secretary.	Outstanding documentation was submitted to DPE on the 13/12/2022.

CoC Ref	Type	Detail	Proposed or Completed Action	Current Status
B85	Non-compliance	Permanent built surface works have commenced at warehouse 6, prior to RMS (TfNSW) approval of swept path analysis.	Obtain approval from TfNSW of the swept path analysis report.	Approval remains pending.

2.2 Environmental Incidents

Two environmental incidents were recorded during the reporting period and were handled in accordance with the requirements of CoC C10.

On the 28/07/2022 an incident report was provided to the EPA regarding the discharge of turbid water. The incident report was forwarded to DPE for information but was not otherwise required under C10.

On the 29/11/2022 notification was provided to DPE regarding an exceedance of EPL criteria.

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, 2018). These are provided in Table 2-3.

Table 2-3 Compliance status descriptors (CRPAR 2018)

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

Five non-compliances were identified during the reporting period. The current status of each non-compliance is provided in Table 2-4.

Table 2-4 Non- Compliances identified by CCR 04

CoC Ref	Type	Detail	Proposed or Completed Action	Current Status
A26	Non-compliance	CoC A26 requires that all documentation provided to the certifier under A25 is submitted to the Planning Secretary. No evidence was provided of submission to the Planning Secretary.	Submit documentation required under A25 to the Planning Secretary.	Outstanding documentation was submitted to DPE on the 13/12/2022.
B32	Non-compliance	Delayed submission of monthly CPESC inspection reports.	Timely submission of monthly CPES inspection reports.	On the 24/08/2022 DPE issued a warning letter regarding the timing of CPESC report submissions. This matter is considered closed.
B85	Non-compliance	Permanent built surface works have commenced at warehouse 6, prior to RMS (TfNSW) approval of swept path analysis.	Obtain approval from TfNSW of the swept path analysis report.	Approval remains pending.
B125	Non-compliance	On the 17 November 2022 a non-compliance was issued to DPE following the receipt of a complaint regarding helicopter works which had run overtime.	Contractor has been instructed to implement measures to ensure that any future helicopter lifts do not exceed construction hours. The complainant was notified of upcoming helicopter lifting work in December.	DPE issued a warning letter in response to the non-compliance on the 9/12/2022. This matter is considered closed.
B171	Non-compliance	Works on Western Ring Road had commenced in advance of the site audit report and site audit statement being issued for that area.	Project is actively engaging with the Site Auditor to achieve the finalisation of the site audit statement.	The site audit report and site audit statement were finalised on 26 September 2022. Both documents were submitted to DPE on 27 September 2022. Closed.

2.5 Complaints Management

Complaints and enquiries are managed in accordance with the Community Communication Strategy (19 March 2021, Rev 11).

Three community complaints were received during the reporting period. The details of these and the subsequent responses are recorded in the community complaints register, which is maintained across the entire MLP Precinct, including the MPW Stage 2 Development. The register does not differentiate between development consents or work stages. Due to this, some complaints may be duplicated within the compliance reporting documentation across the MLP.

Table 2-5 summarises the nature of the complaints and the response provided. All complaints are considered closed.

Table 2-5 Summary of complaints received during the reporting period

Date	Complaint Type	Summary	Response
4/7/2022	Water	Water entered the premises of a site neighbour during a heavy rainfall weather event (300mm +).	Following an investigation, contractors undertook cleaning of the site and repair to verges. Further work will be undertaken to repair swale damage. Complaint is closed.
10/10/2022	Water	Water entered the premises of a site neighbour during a heavy rainfall event.	Site contractors have undertaken remediation works to repair, regrade and lift the bund to drain the area, pump out remaining water and revegetate the area to stabilise the bund. Contractors will continue to monitor the area to pump excess water as required. Complaint is closed.
12/11/2022	OOH Works	Casula resident complained about helicopter lifting work continuing past standard construction hours.	The project team investigated the incident with the relevant contractor who has been instructed to implement measures to ensure that any future helicopter lifts do not exceed construction hours. Further, the team notified the complainant of upcoming helicopter lifting work in December. Complaint is closed.

3. Compliance Summary

At the completion of this compliance reporting period, it has been deemed that works have generally been undertaken in compliance with the CoC and approved Construction Environmental Management Plan and sub-plans.

Periodic review of compliance against the CoC will continue to be undertaken.

Compliance Report Declaration

Project Name	Moorebank Logistics Park – MPW Stage 2
Project Application Number	SSD 7709
Description of Project	Construction and 24/7 operation of the following: - an intermodal terminal (IMT) facility to support a container freight throughput volume of 500,000 twenty-foot equivalent units (TEUs) per annum; and - a warehousing estate (six warehouses with a total gross floor area of 215,000 m^2, a freight village and associated infrastructure) on the northern part of the site servicing the IMT facility. Along with intersection upgrades on Moorebank Avenue, stormwater infrastructure for the entire site, construction works and temporary ancillary facilities.
Project Address	Moorebank Logistics Park, Moorebank Avenue, Moorebank
Proponent	LOGOS Property
Title of Compliance Report	Six-Monthly Construction Compliance Report
Date	11/01/2023

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	BSc; Dip. Law
Company	[redacted]
Company Address	[redacted]

Appendix A – SSD 7709 Compliance Tracking Table

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
Compliance Requirement					**Compliant**
Part A Administrative					**Non-Compliant**
	Obligation to Minimise Harm to the Environment				**Not Triggered**
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	At all times	Daily site observations and weekly site inspections against an environmental checklist reviewing integrity of environmental mitigation controls. Incorporation of environmental awareness into site induction procedures and toolbox talks. Review of incident and near miss reports for preventative action and opportunities for improvement.	All environmental management plans and strategies.	Compliant
	Compliance				
A2	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Construction and operation	Confirm reference to requirements of Conditions of Consent (CoC) in the CEMP (legal requirements register/aspects-impacts register, training, communications and records) and relevant site-specific visitor and workplace inductions, awareness sessions and toolbox talks. Review training/induction/toolbox talk content records. Interview site staff to confirm understanding of their relevant role/responsibility and awareness of compliance obligations.	This condition is addressed in the CEMP (rev J) dated 14 January 2020, approved by DPE 23 January 2020. The revised CEMP (rev Q, 2 December 2021) is currently being implemented on site and was approved by DPE on 18 March 2022.	Compliant
	Terms of Consent				
A3	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) in accordance with the EIS, Response to Submissions (RtS) and Consolidated assessment clarification responses; and (d) in accordance with the management and mitigation measures in Appendix 2.	At all times	Conduct internal audits. Independent audits. Compliance monitoring matrix.	Approved CEMP and sub-plans are being implemented on site. This Construction Compliance Report - MPW Stage 2 CCR #4, dated 11 January 2023.	Compliant
A4	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation	At all times	Review of any directions issued by the Secretary.	No written directions to the Applicant have been made by the Secretary during the reporting period.	Not Triggered
A5	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in Conditions A3(c) – (d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in Conditions A3(c) – (d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict. Note: For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Planning	At all times	For reference.	Noted.	Not Triggered
	Limits of Consent				
A6	This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.	At all times	Confirm commencement of development under the consent within 5 years of the date of consent.	DPE were notified of the commencement of construction (via email) on 10 February 2020. The consent was granted on 11/11/2019. The consent has not lapsed.	Compliant
A7	Only VENM, ENM, or other imported fill material approved in writing by Environment Protection Authority (EPA) is to be placed on the site.	At all times	Confirm classification of materials to be brought to site has been undertaken prior to transport to site and certification is provided relevant to all material obtained. Confirm any approval for materials other than VENM or ENM.	The CSWMP (rev 10) dated 16 March 2020 was approved by DPE 1 April 2020. The revised CSWMP (rev 18, 30 November 2021) is currently being implemented on site and approved by DPE on 18 March 2022.	Compliant
A8	The total volume of uncompacted fill to be imported must not exceed 1,600,000 m3.	At all times	Confirm records of volume and type of fill are maintained.	The CSWMP (rev 10) dated 16 March 2020 was approved by DPE 1 April 2020. The revised CSWMP (rev 17, 7 September 2021) is currently being implemented on site and was approved by DPE on 18 March 2022.	Compliant
A9	Importation of imported fill must not exceed a total of 22,000 m3 of material per day across this development and MPE Stage 2 (SSD 7628) on the same day.	At all times	Confirm records of volume and type of fill are maintained.	The CSWMP (rev 10) dated 16 March 2020 was approved by DPE 1 April 2020. The revised CSWMP (rev 17, 7 September 2021) is currently being implemented on site and was approved by DPE on 18 March 2022.	Compliant
A10	No construction (including clearing and maintenance access) is permitted within the riparian corridor except for that identified on the revised drawings approved under Condition B2 and activities associated with vegetation and stormwater management.	Construction	Monitor implementation of the CEMP and sub-plans during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting. Confirm exclusion fencing is in place.	This condition is addressed in the Environmental Control Maps (ECMS) Located in Appendix C of the CEMP (rev J) dated 14 January 2020, approved by DPE 23 January 2020. The Revised CEMP (rev Q, 2 December 2021) is currently being implemented on site and was approved by DPE on 18 March 2022. Also see the Revised Development Layout Drawings, prepared by Reid Campbell (rev H, dated 27 April 2020), were approved by DPE on 29 May 2020.	Compliant

A11	No works in the riparian corridor outside the site are permitted under this approval. Note: DPI (Lands) must be consulted on design, approvals and licencing for any works on Crown land for the purposes of discharging stormwater from the site (including scour protection/ erosion control).	At all times	Monitor implementation of the Construction Environmental Management Plan (CEMP) and sub-plans during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting. Confirm exclusion fencing is in place. Confirm consultation with Department of Primary Industries (DPI) (Lands) for any works on Crown land - if undertaken/ required.	This condition is addressed in the Environmental Control Maps (ECMS) Located in Appendix C of the CEMP (rev J) dated 14 January 2020, approved by DPE on 23 January 2020. The Revised CEMP (rev Q, 22 March 2021) is currently being implemented on site and was approved by DPE on 18 March 2022. Also see the Revised Development Layout Drawings, prepared by Reid Campbell (rev H, dated 27 April 2020), were approved by DPE on 29 May 2020.	Compliant
A12	No works are permitted by the Applicant within the RMS (M5 Motorway) land and no impact is permitted on Roads and Maritime drainage infrastructure system or on adjoining Roads and Maritime assets, without the consent of the RMS and M5 Motorway Operator (Interlink).	At all times	Monitor implementation of the CEMP and sub-plans during regular weekly inspections, fortnightly Environmental Representative (ER) inspections and ongoing compliance tracking and reporting. Confirm consent from Roads and Maritime Services (RMS) and M5 Motorway Operator (Interlink) is in place prior to works commencing on RMS (M5 Motorway) land - if undertaken/ required.	No works in the M5 corridor or on RMS assets occurred during the reporting period.	Not Triggered
A13	The container freight throughput for MPW must not exceed 500,000 TEU p.a.	Operation	Confirm records of container freight throughput are maintained.	This is a construction compliance report.	Not Triggered
A14	Containers that are transferred between the site and Port Botany must be transferred by rail, unless there is planned track maintenance or where unforeseen circumstances have occurred (e.g. an incident, breakdown, derailment or emergency	Operation	Confirm records of containers transferred between the site and Port Botany by rail versus those transferred by road.	This is a construction compliance report.	Not Triggered
A15	The transfer of containers between Port Botany and the intermodal terminal facility must not commence until the rail connection to the Southern Sydney Freight Line is operational.	Operation	Confirm commencement of transfer of containers between Port Botany and Intermodal has commenced post rail connection to operational Southern Sydney Freight Line.	This is a construction compliance report.	Not Triggered
A15a	**The development must not generate more than: (a) 2670 light vehicle movements a day during operation; and (b) 1654 heavy vehicle movements a day during operation.**	**Operation**	**Confirm records of light and heavy vehicle movements during operations.**	This is a construction compliance report.	Not Triggered
A15b	**The applicant must keep accurate records of the number of heavy and light vehicles entering and leaving site each day. These records must be provided to the Planning Secretary upon request, and to the approved traffic auditor upon the trigger events in B120B occurring and prior to the commencement of the Traffic Audit required under condition B120A.**	**Operation**	**Confirm records of light and heavy vehicle movements during operations. Demonstrate the collection and provision of these records in advance of the trigger event identified in the condition.**	This is a construction compliance report.	Not Triggered
A16	The maximum GFAs for the following uses apply: (a) 215,000m2 for the warehousing and distribution facilities; and (b) 800m2 for the freight village.	Operation	Confirm GFAs for facilities are within limits.	This is a construction compliance report.	Not Triggered
A16a	**Warehousing associated with the development is to be limited to the area identified in the plan titled 'Precinct Modification Plan - Proposed' (Drawing No JR-SK-A-0-9402, RevisionG), prepared by Bell Architecture and dated 16 October 2020).**	**At all times**	**Confirm warehouse footprint during construction and prior to operation.**	The proposed project layout is shown in the CEMP (rev J) dated 14 January 2020, approved by DPE on 23 January 2020. The Revised CEMP (rev Q, 2 December 2021) is currently being implemented on-site and was approved by DPE on 18 March 2022.	Compliant
A17	The warehousing and distribution facilities must only be used for activities associated with freight using the either the MPE or MPW rail intermodal terminal.	Operation	Confirm uses of warehouses only associated with freight.	This is a construction compliance report.	Not Triggered
A18	Notwithstanding Condition A17, movements of containers between a rail intermodal terminal on either MPE and MPW site, and a warehouse on either the MPE or MPW site, are permitted where those movements are also approved for	Operation	Confirm movements between terminals are freight related.	This is a construction compliance report.	Not Triggered
A19	For the avoidance of doubt, nothing in this consent permits: (a) the occupation or use of a warehouse and/or distribution facility on the site before the commencement of operation of either the MPE or MPW rail intermodal terminal; or (b) truck-to-truck movements	Operation	Confirm no occupation or use of facilities or truck-to-truck movements before commencement of operation of either MPE or MPW rail intermodal terminal.	This is a construction compliance report.	Not Triggered
A20	Freight village tenants and occupations are restricted to those activities that provide: (a) ancillary support for the development, its tenants, worker population and visitors; (b) a nexus with activities undertaken in relation to the warehouse, logistics functions of the IMT development and/ or;	Operation	Confirm uses of tenancies / occupations are related to intermodal operations / activities.	This is a construction compliance report.	Not Triggered
	Access for People With a Disability				
A21	The siting, design and construction of premises available to the public are to ensure an appropriate level of accessibility so that all people can enter and use these premises. Access is to meet the requirements of the Disability Discrimination Act 1992, relevant Australian Standards and Building Code of Australia (BCA).	Prior to construction	Confirm plans have been certified prior to commencement of construction.	Letter from Morris Goding Access Consulting (15 July 2021) confirming that Woolworths National Distribution Centre (warehouse superstructure, car park and external pavements) designed in accordance with Disability Access to Premises Standards 2010 (including DDA Access Code), BCA and AS 1428.1: 2009 - General Requirements for Access.	Compliant
	Demolition				
A22	All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).	Prior to demolition	Confirm engagement of a suitably qualified person to review and provide a statement of compliance for the required work plans.	Any demolition work is undertaken in accordance with the CEMP (rev J) dated 14 January 2020, approved by DPE on 23 January 2020. The Revised CEMP (rev Q, 2 December 2021) is currently being implemented on-site and was approved by DPE on 18 March 2022. No demolition work occurred during the reporting period.	Not Triggered
	Structural Adequacy				
A23	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be designed and constructed in accordance with the relevant requirements of the BCA. Note: • Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. • Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.	Construction	Demonstrated alignment with BCA.	Structural Design Certificate, Costin Roe Consulting (8 July 2021), confirming Woolworths JN Facility compliance with BCA requirements. Structural Design Certificate, Costin Roe Consulting (17 December 2021), confirming Woolworths JN Facility compliance with BCA requirements. Structural Design Certificate, Costin Roe Consulting (21 January 2022), confirming Woolworths JR Facility compliance with BCA requirements. Structural Design Certificate, Costin Roe Consulting (3 May 2022), confirming Woolworths JR Facility compliance with BCA requirements.	Compliant
	External Walls and Cladding				

A24	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Construction	Demonstrated alignment with BCA.	Structural Design Certificate, Costin Roe Consulting (8 July 2021), confirming Woolworths JN Facility compliance with BCA requirements. Structural Design Certificate, Costin Roe Consulting (17 December 2021), confirming Woolworths JN Facility compliance with BCA requirements. Structural Design Certificate, Costin Roe Consulting (21 January 2022), confirming Woolworths JR Facility compliance with BCA requirements. Structural Design Certificate, Costin Roe Consulting (3 May 2022), confirming Woolworths JR Facility compliance with BCA requirements.	Compliant
A25	Before the issue of a Construction Certificate and an Occupation Certificate, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.	Construction	Confirm submission of the work plans and statements of compliance to the Certifier.	No additional construction certificates were issued during the reporting period.	Compliant
A26	The Applicant must provide a copy of the documentation given to the Certifying Authority under **Condition A25** to the Planning Secretary within seven days after the Certifying Authority accepts it.	Within 7 days of certifier accepting	Confirm submission of documentation to the Planning Secretary.	No additional construction certificates were issued during the reporting period. The March 2022 Independent Audit identified a non-compliance with CoCA26. Outstanding documentation was submitted to DPE on the 13/12/2022.	Non-Compliant
	Applicability of Guidelines				
A27	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	At all times	Review of any issued directions from the Secretary. Review of legal requirements register to demonstrate awareness and currency of obligations and link to implementation method (e.g. through CEMP/OEMP documentation).	No directions from the Secretary were issued during this reporting period.	Not Triggered
	Evidence of Consultation				
A28	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and (b) provide details of the consultation undertaken in the document submitted to the Planning Secretary including: (I) the outcome of that consultation, matters resolved and unresolved (and the justification for matters remaining unresolved); and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	At all times	Review of consultation record within relevant consent documentation.	Approval of all strategies, plans and programs requiring consultation prior to construction by the development consent, as detailed in this table, affirms compliance with this consent condition.	Compliant
	Community Consultative Committee				
A29	Before the commencement of construction, a Community Consultative Committee (CCC) must be established for the development in accordance with the Department's Community Consultative Committee Guidelines: State Significant Projects (2019). The CCC must begin to exercise functions in accordance with such Guidelines before the commencement of construction and continue to do so for the duration of construction, upgrading and operation and for at least six months following the completion of decommissioning.	Prior to construction	Confirm suitably qualified person available to setup and manage committee. Review of Department's Community Consultative Committee Guidelines: State Significant Projects (2019). Confirm CCC formation and commencement of functions prior to construction commencing.	Request to establish combined MPE/MPW CCC submitted to DPE on 25 November 2019. DPE approval of combined CCC was received on 4 December 2019.	Compliant
A30	The Planning Secretary may consider a request to expand an existing MPW or MPE CCC to cover the development and to satisfy Condition A29.	At all times	For reference.	Request to establish combined MPE/MPW CCC submitted to DPE on 25 November 2019. Combined CCC approved by DPE on 4 December 2019.	Compliant
	Community Communication				

A31	A Community Communication Strategy must be prepared and submitted to the Planning Secretary for approval no later than one month before the commencement of construction. The Community Communication Strategy is to provide mechanisms to facilitate communication between the Applicant, the Council(s) and the community (including adjoining affected landowners and businesses, and others directly impacted by the development). The Community Communication Strategy must: (a) assign a central contact person to keep the nearby sensitive receivers regularly informed throughout the development; (b) detail the mechanisms for regularly consulting with the local community throughout the development, such as holding regular meetings to inform the community of the progress of the development and report on environmental monitoring results; (c) detail a procedure for consulting with nearby sensitive receivers to schedule high noise generating works, vibration intensive activities or manage traffic disruptions; (d) include contact details for key community groups, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders; and (e) include a complaints procedure for recording, responding to and managing complaints, including: (I) email, toll-free telephone number and postal addresses for receiving complaints, (ii) advertising the contact details for complaints before and during operation, via	1 month prior to commencement of construction	Community Communication Strategy (CCS) was approved by DPE on 7 February 2020. Revision J of the CCS (dated 29 June 2021) is currently being implemented.	Community Communication Strategy (CCS) was approved by DPE on 7 February 2020. Revision J of the CCS (dated 29 June 2021) is currently being implemented on site and was approved by DPE on 7 September 2021.	Compliant
A32	The Applicant must: (a) not commence Construction until the Community Communication Strategy has been approved by the Planning Secretary. (b) implement for the Community Communication Strategy for the duration of construction and for 12 months following the commencement of operation.	Prior to construction and 12 months following commencement of operation	Confirm the commencement date of construction. Confirm CCS approval date from the Secretary.	Community Communication Strategy approved by DPE on 7 February 2020. Revision J of the CCS (dated 29 June 2021) is currently being implemented on site and was approved by DPE on 7 September 2021.	Compliant
	Environmental Representative				
A33	Works must not commence until an Environmental Representative (ER) has been approved by the Planning Secretary and engaged by the Applicant.	Prior to construction	Prepare and submit documentation to the Secretary to support ER approval. Confirm ER approval from the Secretary.	ER appointment approved by DPE on 29 November 2019. An alternate ER was appointed on 22 November 2021.	Compliant
A34	The Planning Secretary's approval of an ER must be sought no later than one month before the commencement of works, or within another timeframe agreed with the Planning Secretary.	1 month prior to construction	Confirm the commencement date of construction. Confirm submission date is at least 1 month prior to the proposed construction commencement date.	ER appointment was approved by DPE on 29 November 2019.	Compliant
A35	The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the EIS, Response to Submissions and any other supporting information submitted as part of applications for either MPW or MPE, and is independent of the construction and design personnel for the project and those involved in delivery of it. Note: Should the requirements of the conditions of this consent be satisfied, an ER approved for MPE and MPW development may also be considered for approval for the development.	1 month prior to construction	Confirm suitable (independence from MPW/MPE), qualifications and experience of ER.	ER appointment was approved by DPE on 29 November 2019. An alternate ER was appointed on 22 November 2021.	Compliant
A36	The Applicant may engage more than one ER for the development, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Planning Secretary for the purposes of the development.	1 month prior to construction	For reference.	Noted. Alternate ERs were appointed for the project on 22 November 2021.	Not Triggered
A37	For the duration of the works until 6 months after the commencement of operation (or staged operation), or as agreed with the Planning Secretary, the approved ER must: (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the development; (b) consider and inform the Planning Secretary on matters specified in the terms of this consent; (c) consider and recommend to the Applicant any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community; (d) review documents required under this consent and any other documents that are identified by the Planning Secretary, to ensure they are consistent with	Construction and 6 months after operations commence	Confirm communication of these requirements to the ER and confirm these requirements are included in the ER's scope of works and contract.	Noted. The requirements of this condition have been included in the ER's scope of works and employment contract.	Compliant

	requirements in or under this consent and if so: (I) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or (ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary/ Department for information or are not required to be submitted to the Planning Secretary/ Department); (e) regularly monitor the implementation of the documents required under this consent to ensure implementation is being carried out in accordance with the document and the terms of this consent; (f) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the development commissioned by the Department including scoping audits, programming audits, briefings, and site visits, but not Independent Audits required under Condition C18 of this consent; (g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints; and (h) assess the impacts of minor ancillary facilities comprising lunch sheds, office sheds and portable toilet facilities as required by Condition A40 of this consent; (I) consider any minor amendments to be made to the CEMP or CEMP sub-plans that require updating, or amendments of an administrative nature, and are consistent with the conditions of this consent and the most recent version of the CEMP or CEMP sub-plan approved by the Planning Secretary, and if satisfied that				
A38	The Applicant must provide all documentation requested by the ER in order for the ER to perform their functions specified in Condition A37 (including preparation of the ER monthly report), as well as: (a) the complaints register (to be provided on a monthly basis); and (b) a copy of any assessment carried out by the Applicant of whether proposed work is consistent with the consent (which must be provided to the ER before the commencement of the subject work).	At all times	Confirm ER is provided with documentation requested. Review ER meeting minutes.	The ER is provided with all documentation requested.	Compliant
A39	The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under Condition C20. The Applicant must: (a) facilitate and assist the Planning Secretary in any such audit; and (b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.	At all times	For reference.	No audits have been commissioned by the Department.	Not Triggered
	Minor Facilities				
A40	Minor ancillary facilities, including lunch sheds, office sheds, portable toilet facilities, and the like, can be established where they satisfy the following criteria: (a) are located within the construction boundary; and (b) have been assessed by the ER to have: (I) minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (DECC, 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and (ii) minimal environmental impact with respect to waste management and flooding, and (iii) no impacts on biodiversity, soil and water, and heritage items beyond those already approved under other terms of this approval.	Construction	Review minor ancillary facility location and impact against the requirements. Submit review documents to ER for review.	The following Ancillary facilities remained active during the reporting period: - The ResourceCo compound was approved by the ER on 19 March 2020; - The EnviroPacific CATA, was approved by the ER on 10 June 2021; - WH3/INTS, was approved by the ER on 9 November 2021. The following ancillary facilities were approved during the reporting period: -CEMP (figure 1-4) amendation approved by ER on 16 June 2022.	Compliant
	Submitting, Staging, Combining and Updating Strategies, Plans or Programs				
A41	Unless stated otherwise, the Applicant must submit strategies, plans and programs required under this consent to the Planning Secretary at least one month prior to commencement of construction or operation.	1 month prior to construction or operation	Confirm commencement date of construction and operation. Confirm submission date of strategies, plans and programs is at least 1 month prior to the proposed construction or operation commencement date.	Approval of all strategies, plans and programs required prior to construction by the development consent, as detailed in this table, affirms compliance with this consent condition.	Compliant
A42	Unless stated otherwise in this consent, the Applicant with the approval of the Planning Secretary may: (a) prepare and submit any strategy, plan or program required by this consent as part of the construction or operational environmental management plan on a staged basis; (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development). Note: Documents that cannot be staged include Development Layout Drawings required under Condition B2, and Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation required under Condition B4, and Site Audit Statement required under Condition B169.	At all times	Review of applicability of staging, combining or updating strategies, plans and programs to scope of works being undertaken and comparison to approved scope and performance/documentation expectations arising from conditions of consent (i.e. preparation of plans prior to commencement of a phase of works).	The site audit reports and statements required by condition B171 are being delivered in accordance with the Request to stage a plan (A42): Requirement for provision of a Site Audit Statement and Site Audit Report under Condition B171 of SSD 7709 (MPW Stage 2) (the Staging Report), prepared by Aspect Environmental (dated 28 April 2021), which was approved by DPE on 14 May 2021.	Compliant
A43	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	At all times	Review of strategies/plans implemented on site to verify currency of documentation and appropriate versions are being applied within the scope of the approved staging.	The strategies, plans and programs are not being staged.	Not Triggered
	Staging of Construction				

A44	Prior to the commencement of construction, a Staging Report must be submitted to the Planning Secretary for approval where it is proposed to construct and operate warehousing in sub-stages. The Staging Report must include: (a) the revised Development Layout Drawings required under Condition B2; (b) detailed drawings showing warehouses, estate infrastructure and landscaping to be delivered in each sub-stage, and how each sub-stage of estate infrastructure and landscaping connects to other sub-stages including the intermodal terminal facility; (c) details of how the development will relate to concurrent construction on MPE as described in the construction program included in the approved Construction Environmental Management Plan for MPE Stage 2 (SSD 7628); (d) general timing of construction sub-stages that impact upon the timing of the development subject of this consent; and (e) details of the relevant conditions of the Concept Approval (5066) and of this consent that would apply to each sub-stage. Note: The Staging Report will need to be amended with any approved version update of the MPE Stage 2 CEMP.	Prior to construction	Review if construction and operation of warehouses is to be staged. If applicable, prepare and submit Staging Report to the Secretary for approval.	Not triggered for this reporting period.	Not Triggered
A45	Prior to the commencement of operation of each warehousing sub-stage, evidence must be provided to the satisfaction of the Planning Secretary that all estate infrastructure, including internal estate roads, bushfire protection infrastructure, utilities, drainage and stormwater quality infrastructure, has been constructed to the extent required to service the sub-stage. Note: These conditions do not relate to staged development within the meaning of section 83B of the EP&A Act.	Prior to operation of warehouse	Prepare and submit to the Secretary evidence that the warehousing sub-stage meets the estate infrastructure requirements. Confirm Secretary satisfaction.	Not triggered for this reporting period.	Not Triggered
	Notification of Commencement				
A46	The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least 2 weeks before that date: (a) any work; (b) vegetation clearing required to conduct remediation; (c) remediation; (d) low impact works; (e) construction; (f) operation; (g) cessation of operations; and (h) decommissioning.	2 weeks before commencement of each work phase	Documented written notification of commencement provided to the Department prior to the commencement of each phase. Confirmation of timing compared to commencement.	Notification of the commencement of any work was provided to DPE on 10 February 2020. DPE provided a response with no comments on 14 February 2020. Revised notification of the commencement of construction was provided to DPE on 28 May 2020. Construction commenced under MPW Stage 2 on 30 November 2020.	Compliant
A47	If the construction, operation or decommissioning of the development is to be staged, the Department must be notified in writing at least 2 weeks before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	2 weeks before commencement of each stage	Documented written notification of commencement provided to the Department prior to the commencement of each stage. Confirmation of timing compared to commencement.	Not triggered for this reporting period.	Not Triggered
	Utilities and Public Infrastructure				
A48	The Applicant must engage a suitably qualified person to prepare a Pre-construction Dilapidation Report prior to the commencement of construction. This report must detail the structural condition of: (a) local public roads likely to be used by the development's construction traffic; (b) local public roads, cycleways, footpaths and utility services likely to be impacted by construction works; and (c) off-site private land or access to off-site private land likely to be impacted by construction works. The report must be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS, any affected private landowner, and the Planning Secretary.	Prior to construction	Confirmation of an appropriately qualified person. Confirm preparation of any required dilapidation report of relevant public infrastructure. Document submission of Pre-construction dilapidation report to Campbelltown City Council, Liverpool City Council, RMS, any affected private landowner, and the Planning Secretary.	Dilapidation Report for MPW Stage 2, Anzac Road Moorebank prepared by Craigmar Consulting Services Pty Ltd, dated 18 August 2019. Dilapidation Report for Bapaume Road, Moorebank prepared by Craigmar Consulting Services Pty Ltd dated 3 September 2019. Dilapidation Report for MPW Stage 2 Moorebank Avenue, Moorebank prepared by Craigmar Consulting Services Pty Ltd, dated 18 August 2019. Letter from Certifying Authority, Mckenzie Group (dated 25 March 2020), confirmed satisfaction of consent condition. Copies were forwarded to Campbelltown City Council, Liverpool City Council and Transport for New South Wales (TfNSW), by email, on 26 March 2020. The copy was lodged with DPE on 6 April 2020.	Compliant
A49	Before the commencement of construction, the Applicant must consult with the relevant owner and provider of utility services and public infrastructure that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection, support or relocation of the affected utility services and infrastructure.	Prior to construction	Document and record consultation with relevant service providers/owners.	Dilapidation reports have been prepared and provided to the relevent owners and providers.	Compliant
A50	Unless the Applicant and the applicable owner/ authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any utility service or public infrastructure that is damaged by carrying out the development; (b) relocate, or pay the full costs associated with relocating, any utility service or public infrastructure that needs to be relocated as a result of the development (including the road upgrades specified in Table 1); and (c) provide for ongoing maintenance. Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by conditions	At all times	Review any dilapidation report and/or voluntary planning agreement or contributions agreement to confirm extent of obligation as agreed. Review receipts for payments made.	Dilapidation reports have been prepared and provided to the relevent owners and providers.	Compliant
A51	Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the Sydney Water Act 1994.	Prior to operation	Confirm compliance certificate obtained.	Not triggered for this reporting period.	Not Triggered
	Telecommunications				

A52	Before the issue of an Occupation Certificate for the development, the Applicant is to provide evidence, satisfactory to the Certifying Authority, that arrangements have been made for: (a) the installation of fibre-ready facilities to all individual lots and/ or premises to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/ or premises demonstrated through an agreement	Prior to occupation certificate issue	Document and submit evidence to the Certifying Authority. Confirmation receipt of written agreement with carrier.	Not triggered for this reporting period.	Not Triggered
A53	The Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.	Prior to occupation	Confirmation of written advice from relevant providers.	Not triggered for this reporting period.	Not Triggered
	Meteorological Monitoring				
A54	Prior to the commencement of any works, and for the life of the development, the Applicant must ensure that there is a suitable meteorological station operating on the site or within the vicinity of the site that: (a) complies with the requirements in the latest version of EPA's Approved Methods for Sampling of Air Pollutants in New South Wales (DEC, 2016) (as may be updated or replaced from time to time); and (b) is capable of continuous real-time measurement of atmospheric stability category determined by the sigma theta method in accordance with the NSW Noise Policy for Industry (NPI, EPA, 2017) (as may be updated or replaced from time to time).	At all times	Confirm installation of a meteorological station in accordance with this CoC and EPA requirements. Confirm supplier verification of compliance against EPA requirements. Maintain records of all consultation / communication with EPA on technical specifications and siting of station.	Letter from Aleks Todoroski, Todoroski Air Sciences (dated 4 June 2020), confirming installation of the Meteorological Station on 6 April and 17 April 2020 in accordance with the requirements of the EPA. Photographic evidence of Meteorological Station installation provided on 5 June 2020.	Compliant
	Works as Executed Plans				
A55	All detailed design drawings required to be submitted under this consent must be at or above 50% design completion, with the percentage design stated on the drawings.	At all times	Document submission of design drawings at or above 50% completion.	Revised Development Layout Drawings, prepared by Reid Campbell (rev H, dated 27 April 2020), were approved by DPE on 29 May 2020. Revised Stormwater System Design drawings are included as Appendix A of the Stormwater Design Development Report, prepared by Costin Roe (Rev C, dated 29 April 2020), which was approved by DPE on 19 May 2020.	Compliant
A56	Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor confirming that the stormwater drainage (water quality and detention infrastructure), road ways, parking and finished ground levels have been constructed as approved, must be submitted to the Certifying Authority.	Prior to issue of occupation certificate	Confirmation from registered surveyor that stormwater drainage (water quality and detention infrastructure), road ways, parking and finished ground levels have been constructed as approved. Submit works-as-executed drawings to the Certifying Authority.	Not triggered for this reporting period.	Not Triggered
	Development Contributions				
A57	Prior to the issue of a Construction Certificate for any part of the development, the Applicant must pay a monetary levy of 1% of the development Capital Investment Value ($5,330,000) or other amount agreed to by Liverpool City Council for transport, drainage, community facilities, administration and professional and legal	Prior to issue of construction certificate	Confirmation from Liverpool City Council levy payment received.	The levy payment was made to Liverpool City Council on 3 November 2020.	Compliant
A58	The Applicant must provide all monetary contributions and/ or works-in kind as relevant to the site, in accordance with the Voluntary Planning Agreement entered into between RMS and Qube RE Services (No. 2) Pty Limited in its capacity as the trustee of the Moorebank Industrial Terminals Asset Trust, Moorebank Industrial Terminals Operations Trust and Moorebank Industrial Warehouse Trust and executed on 25 March 2019 (VPA).	At all times	Confirmation that monetary contributions and/ or works in kind provided to RMS as per the Voluntary Planning Agreement.	No works in kind completed during the reporting period. Voluntary Planning Agreement entered into with Council on 30/11/2020 and RMS on 10/12/2020.	Not Triggered
	Advisory Notes				
AN1	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	At all times	Review of legal requirements register for the site.	Noted.	Not Triggered

SSD-7709-Mod-1 (Building Height Increase). Determined 24/12/2020
SSD-7709-Mod-2 (Intermodal Facility and Warehousing). Determined 20/09/2021

Approval (ID)	Condition	Timing	Monitoring Methodology	Evidence and comments	Compliance Status
Compliance Requirement					**Compliant**
Part B - Key Environmental Issues					**Non-Compliant**
	Development Layout				**Not Triggered**
B1	Notwithstanding the requirements of Conditions B2 and B4, the Applicant may import and stockpile 160,000m3 of fill prior to finalisation of the Development Layout Drawings, Stormwater Design Development Report, Revised Stormwater System Design Drawings and supporting documentation, provided no vegetation removal is required and fill is stockpiled in previously cleared areas.	Prior to finalisation of drawings and reports	Confirm records of volume of fill are maintained. Confirm previously cleared locations for fill to be stockpiled on. Confirm induction and toolbox talks reference no vegetation clearing allowed and fill only stockpiled in previously cleared areas.	The quantity of material imported and stockpiled in previously cleared areas under this condition did not exceed 160,000m3.	Compliant
B2	Prior to commencement of construction, the Applicant must submit revised Development Layout Drawings to the Planning Secretary for approval. The revised Development Layout Drawings must be at a scale of approximately 1:2000 at A1 showing the key development elements including but not limited to estate infrastructure, internal roads, warehouse and associated carpark footprints, the freight village, intermodal terminal facility including the truck waiting area and emergency truck storage area, rail line and rail line vehicle access roads . The revised Development Layout Drawings must show the site, construction and operational boundaries and demonstrate: (a) provision of a riparian corridor, comprising the following: (I) a buffer zone to the most inland of: • 40 metres from the top of bank, as surveyed by a registered surveyor, or • the 1% AEP flood extent, excluding the localised depression at the existing major east-west drainage channel, and (ii) an additional 10 metre extension to the buffer zone established in (I) above, where native vegetation is located on or within 10 metres east of the buffer; (b) the siting of biofiltration/ bioretention areas and OSD basins (with the exception of outlets to the Georges River and associated maintenance access) are outside the riparian corridor and outside the warehouse footprints; (c) no construction or operation works would take place inside biodiversity offset areas; (d) compliance with the landscaped setbacks specified in Condition B63; (e) compliance with the percentage of landscaped area specified in Condition B68(a) within the warehouse and freight village area and truck waiting area and emergency truck storage area to be developed under MPW Stage 2; (f) a setback of 8 to 12 m has been provided around the north, south and western perimeters of the development area to accommodate fill batter slopes of a maximum of 1V in 4H; (g) a minimum 3 m wide maintenance access has been provided between the fill slopes and the riparian corridor, the ABB site and at the southern end of the development area, **where necessary to ensure ongoing maintenance works can be carried out without impacting on the riparian corridor or adjoining sites**; (h) provision of a controlled overland flow path through the MPW Stage 2 site as required under Condition B11 for conveyance of the major stormwater discharge from the MPE site to the Georges River; (I) identify habitat corridor/s, of adequate dimensions to provide an adequate Koala habitat corridor as supported by a Koala specialist, to provide connectivity both within the Intermodal Precinct area and with other core koala habitat areas, as required under Condition B152. The drawings are to show any required connectivity structures and fencing;	Prior to construction	Confirm review process includes a checklist against these requirements prior to submission to the Secretary for approval. Confirm submission of revised Development Layout Drawings to the Planning Secretary. Confirm Secretary approval.	Revised Development Layout Drawings, prepared by Reid Campbell (rev H, dated 27 April 2020), were approved by DPE on 29 May 2020. Revised Development Layout Drawings, prepared by Watson Young (rev N, dated 9 March 2021), were submitted to DPE during the reporting period and approved on 4 June 2021.	Compliant
B3	To ensure the site will be developed in an integrated manner and that the whole development will comply with the conditions of this consent, submission of the Development Layout Drawings required by Condition B2 cannot be staged.	At all times	For reference.	Noted.	Compliant
	Revised Stormwater System Design				
B4	Prior to the commencement of construction (except to permit an initial stage comprising earthworks on land within 150m west of Moorebank Avenue along its alignment north of the overpass over the rail link), the Applicant must submit a Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation to the Planning Secretary for approval.	Prior to construction	Confirm submission of Stormwater Design Development Report to the Planning Secretary. Confirm Secretary approval prior to construction commencement date.	Stormwater Design Development Report, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant

B5	The Stormwater Design Development Report must document how WSUD principles outlined in Condition B9 have been incorporated into the design and operation of the development.	Prior to construction	Confirm report meets WSUD principles outlined in CoC B9.	Stormwater Design Development Report, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
B6	To ensure the site will be developed in an integrated manner and that the whole development will comply with the conditions of this consent, submission of the Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation required by Condition B4 cannot be staged. Note: Condition B4 allows the Applicant to conduct earthworks on land within 150m west of Moorebank Avenue along its alignment north of the overpass over the rail link prior to submission of these documents.	Prior to construction	For reference.	Noted.	Compliant
	Stormwater Design Independent Peer Review				
B7	An Independent Peer Review report must be submitted with the Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation .	Prior to construction	Confirm that an Independent Peer Review report is completed against the Stormwater Design Development Report and Revised Stormwater System Design Drawings prior to submission to Secretary.	Independent Peer Review and certificate, prepared by AT&L Consulting Engineers (dated 19 December 2019) was included as Appendix G of the Stormwater Design Development Report prepared by Costin Roe (Rev C, dated 29 April 2020) and approved by DPE on 19 May 2020.	Compliant
B8	The review must: (a) include a review of the numerical models used to develop the revised stormwater design; (b) be undertaken by a technical expert, approved by the Planning Secretary, with over 15 years of experience in stormwater, flooding and water quality in NSW, including Water Sensitive Urban Design (WSUD), and not previously involved in preparation of drainage, flooding or hydrological designs or assessments for either MPW or MPE, or construction of either MPW or MPE; and (c) include an assessment of the Revised Stormwater System Design Drawings and supporting documentation against all relevant conditions, stating whether the condition has been satisfied, and comments justifying the position. Note: The revised Stormwater System Design Drawings and supporting documentation will not be accepted until all the conditions have been accepted to the satisfaction of, and justified by, the peer reviewer.	Prior to construction	Confirm technical expert approved by Secretary prior to engagement and commencing report. Confirm review process includes a checklist against these requirements prior to submission to the Secretary for approval.	Approval of technical experts for the independent review of the Stormwater Design Development Report was provided in a letter from DPE, dated 10 February 2020. Stormwater Design Development Report, prepared by Costin Roe (Rev C, dated 29 April 2020), which included the Independent Peer review and certificate as Appendix G, was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
	Water Sensitive Urban Design				
B9	The revised stormwater system design, to be detailed in the Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation, must be consistent with the objectives and principles set out in the NSW Office of Water's Guidelines for Controlled Activities and incorporate water sensitive urban design principles outlined in relevant Council policies, plans, guidelines and specifications and RMS's Water Sensitive Urban Design Guideline 2017, including: (a) treating stormwater as a resource; (b) mimicking natural processes in the control of stormwater; (c) integrating drainage infrastructure and landscaping; (d) managing water in a sustainable manner through considering the complete water cycle; and (e) considered design, construction and maintenance to minimise impacts on the natural water cycle.	Prior to construction	Confirm review process includes a checklist against these requirements prior to submission to the Secretary for approval.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
B10	The Applicant must submit revised drawings and supporting documentation to the Planning Secretary for approval, in accordance with the design principles and design criteria listed in Conditions B11 to B22.	Prior to construction	Confirm review process includes a checklist of conditions B11 to B22 prior to submission to the Secretary for approval.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
	Piped Stormwater Drainage and Overland Flow Paths				

B11	The stormwater system must be designed to: (a) convey flows up to and including the 10% AEP event within the formal piped drainage system, with flows from the 10% AEP to the 1% AEP event conveyed in controlled overland flow paths; and (b) provide adequate overland flow paths in the event of stormwater system blockages and flows in excess of the 1% ARI rainfall event.	Prior to construction	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
	On Site Detention				
B12	On-site detention (OSD) must attenuate peak flows from the development such that both the: (a) 1 in 1 year ARI event post development peak discharge rate is equivalent to the pre-development (un-developed catchment) 1 in 1 year ARI event; and (b) 1 in 100 year ARI event post development peak discharge rate is equivalent to the pre-development (un-developed catchment) 1 in 100 year ARI event.	At all times	Provide report that OSD meet these requirements.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
B13	OSD basins must: (a) be visually unobtrusive and sit within the final landform and landscaping; (b) ensure public safety by incorporation of 'safer by design' principles; and (c) have all sides with a maximum batter slope of 1V:4H, except at the OSD outlets.	At all times	Review photographic record of the OSD against final landform and landscape. Confirm review completed against 'safer by design' principles and maximum batter slope.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
	Stormwater Quality				
B14	All stormwater quality elements are to be modelled in MUSIC as per the NSW MUSIC Modelling Guide.	Prior to construction	Inclusion of a design consistency and compliance with NSW Model for Urban Stormwater Improvement Conceptualisation (MUSIC) Modelling Guide.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
B15	The stormwater quality infrastructure must comprise rainwater tanks, gross pollutant traps and biofiltration/ bioretention systems designed to meet the following criteria compared to a base case if there were no treatment systems in place: (a) reduce the average annual load of total nitrogen by 45%; (b) reduce the average annual load of total phosphorus by 65%; and (c) reduce the average annual load of total suspended solids by 85%.	Prior to construction	Confirm review process includes a checklist against these requirements.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
B16	All stormwater quality elements must be installed upstream of OSD basins, unless it can be demonstrated to the satisfaction of the Secretary that biofiltration/ bioretention systems within the OSD basins: (a) will not suffer damage from design flows; (b) can be maintained to achieve the water quality criteria; and (c) will have adequate solar access ensuring that all bioretention systems are exposed to sunlight at midday on the winter solstice. This assessment is to include surrounding features of OSD basins, including but not limited to actual building heights and full mature height and size of proposed trees, as per the landscape plans.	Construction	Provide report that OSD meet these requirements.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant

B17	The area of biofiltration/ bioretention systems is to be at least 1% of the catchment draining to the system, to ensure there is no short-circuiting of the system	Construction	Provide report that biofiltration/bioretention systems meet this requirement.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
B18	Bioretention systems which are greater than 1,000 m2 in area, are to be divided into cells with no individual cell greater than 1,000 m2.	Construction	Provide report that bioretention systems meet this requirement.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
B19	All filter media used in stormwater treatment measures must: (a) be loamy sand with an appropriately high permeability under compaction and must be free of rubbish, deleterious material, toxicants, declared plants and local weeds, and must not be hydrophobic; (b) have an hydraulic conductivity = 100-300 mm/hr, as measured using the ASTM F1815-06 method; (c) have an organic matter content less than 5% (w/w); and (d) be provided adequate solar access, considering the design and orientation of OSD basins.	Construction	Provide report that filter media meet these requirements.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
	Stormwater Outlet Structures				
B20	Discharge of stormwater from the development must not cause scour/ erosion of the banks or bed, or pollution of the Georges River or Anzac Creek. Note: Pollution of waters as defined under section 120 of the POEO Act.	At all times	Confirm review process includes a checklist against these requirements.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
B21	Outlet structures for the discharge of site stormwater drainage to the Georges River, Anzac Creek, external drainage or natural drainage lines must be constructed of natural materials to minimise erosion, facilitate natural geomorphic processes and include vegetation as necessary (gabion baskets and gabion mattresses are not acceptable).	At all times	Confirm review process includes a checklist against these requirements.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
B22	Outlet structures must ensure habitat connectivity and wildlife movement is maintained along the Georges River riparian corridor.	At all times	Confirm review process includes a checklist against these requirements.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
	Stormwater System Design Drawings				

B23	The Revised Stormwater System Design Drawings and supporting information to be submitted under Condition B4 must include the details specified in Conditions B24 to B28.	Prior to construction	Confirm review process includes a checklist against the requirements of B24-B28.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
B24	Drawings must show: (a) all information on a drainage catchment plans and a schedule of stormwater drainage elements (pipe lines and structures). Drainage drawing documentation is to be in accordance with the requirements detailed in Liverpool Council's Development Design Specification "D5 – Stormwater drainage design" clauses D5.22 and D5.24; (b) location and width of controlled overland flow paths; (c) maximum design flow levels to AHD; (d) maintenance access to each on OSD basin; and (e) the integration with MPE Stage 1 and MPE Stage 2 stormwater infrastructure including: (I) stormwater infrastructure on the MPW site that is intended to convey (pipes or overland flow paths) or treat or detain stormwater from MPE Stage 1 and MPE Stage 2, and/ or (ii) drawings demonstrating that stormwater detention and treatment infrastructure has been provided for and approved under MPE Stage 1 and MPE Stage 2 for western draining MPE catchments.	At all times	Confirm drawing review process includes a checklist against these requirements.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
B25	All stormwater quality elements are to be detailed in the drawings including: (a) general arrangement plans at 1:500 and detailed plans as required at 1:200, showing system layout with key features including pipe arrangement with pipe sizes, diversion structure, high flow bypass, pre-treatment system, inlets, outlets, underdrainage, and maintenance vehicular access. The plans must show how the bioretention system will achieve separate cells of a maximum area of 1000 m2 with flow splitting; (b) long and cross sections showing key features and levels including liner (base level of bioretention system), submerged zone level, drainage layer, transition layer, filter surface level, extended detention level, bund/ embankment level, and level of detention storage; (c) pipe long sections, including invert levels, pipe sizes; (d) details of key structures including diversion, pre-treatment system (make/ model), inlets, outlets; (e) landscape plan including plant species; (f) specification of filter media; and (g) shadow diagrams, including surrounding features of OSD basins, actual building heights and	At all times	Confirm drawing review process includes a checklist against these requirements.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
B26	Stormwater outlet drawings must show: (a) material type, size, thickness, with accompanying hydraulic calculations demonstrating the achievement of relevant stability thresholds; (b) design arrangement including longitudinal sections, cross sections and typical arrangements; (c) typical arrangements including details of any liners, keying into bed/ banks and filter material; and (d) the tie in with the receiving water normal water level and/ or seasonal low flow levels.	At all times	Confirm drawing review process includes a checklist against these requirements.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
	Stormwater System Design Supporting Documentation				
B27	As part of the supporting documentation required under Condition B4, the Applicant must document the sequence of construction, including interim drainage solutions, for: (a) the drainage line from MPE to the Georges River; (b) the northern portion of MPW, including infilling, OSD basins, transition of sedimentation basins to OSD basins; and (c) the southern portion of MPW, including infilling, OSD basins, transition of sedimentation basins to OSD basins.	Prior to construction	Confirm construction sequence. Review construction sequence and document interim drainage solutions.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant

B28	As part of the supporting documentation required under Condition B4, outlet structure investigations and design inputs must be submitted to the Planning Secretary, including: (a) subsurface/ geotechnical assessment identifying underlying foundation conditions; (b) hydraulic modelling; (c) hydraulic calculations for stormwater outlet structures demonstrating achievement of relevant stability thresholds; and (d) design specifications including schedule of drainage elements (e.g. rock sizes, and structures).	Prior to construction	Confirm submission of outlet structure investigations and design inputs to the Secretary.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
	Construction Erosion and Sediment Control				
B29	Prior to commencement of construction, the Applicant must prepare a Soil and Water Management Plan (SWMP) in accordance with the requirements of Managing Urban Stormwater - Soils and Construction Volume 1 (Landcom 2004) and submit it to the Planning Secretary for approval. The SWMP must be certified by a Certified Professional in Erosion and Sediment Control (CPESC) that it is fit for purpose, addresses the constraints posed by site conditions and complies with statutory requirements. The CPESC must have demonstrated experience in the identification, management and mitigation of erosion and sedimentation in dispersive and non-cohesive soils and be approved by the Planning Secretary.	Prior to construction	Engage a suitable CPESC to certify the SWMP. Confirm CPESC approved by Secretary. Prepare and submit SWMP for approval by Secretary.	CPESC endorsement of CSWMP was provided on 18 December 2020. The Construction Soil and Water Management Plan, prepared by Costin Roe (Revision 10, dated 16 March 2020), was approved by DPE on 1 April 2020. The addendum to the Construction Soil and Water Management Plan (dated 12 March 2021), was approved by DPE on 21 May 2021. The combined MPW Stage 2 and Stage 3 CSWMP (rev 18, 20 November 2021) is currently being implemented on site and was approved by DPE on 18 March 2022.	Compliant
B30	The SWMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1, the SWMP must include, but not be limited to: (a) erosion and sediment control hazard assessment that includes: (I) monthly rainfall erosivity, (ii) flooding liability, (iii) topography, (iv) physical and chemical properties of in-situ and imported soil, (v) sensitivity of the receiving environment; (b) management strategies to address the identified erosion and sediment control hazard that consider: (I) statutory and environmental management requirements including: – minimising the extent and duration of land disturbance, – controlling water movement through and from site, – locating sediment basins in areas not subject to local stormwater flooding, – minimising soil erosion, – maximising sediment retention on site, – prompt and progressive stabilisation of disturbed areas, NSW Government 12 Moorebank Intermodal Precinct West - Stage 2 Department of Planning and Environment (SSD 7709) (ii) maintenance of drainage, erosion and sediment control measures, (iii) monitoring and adjusting drainage, erosion and sediment control measures to achieve necessary performance standards, (iv) planning for predicted rainfall and winds events and shut down periods; (c) a schedule of construction activities for the development, installation and removal of control measures and temporary and permanent stabilisation works, (d) Erosion and Sediment Control Plans, including: (I) existing and proposed contours and drainage path, (ii) all access points and facilities associated with the development, (iii) limits of disturbance including protected areas and features, (iv) extent of earthworks, (v) areas of cut and fill, (vi) location of all drainage, erosion and sediment control measures including numbering for identification, and (vii) surface water monitoring locations; (e) specific operating procedures such as dewatering and the treatment of water and sediment collected in basins; and	Prior to construction	Confirm SWMP review process includes a checklist against these requirements prior to submission to the Secretary for approval.	The Construction Soil and Water Management Plan, prepared by Costin Roe (Revision 10, dated 16 March 2020), was approved by DPE on 1 April 2020. The addendum to the Construction Soil and Water Management Plan (dated 12 March 2021), was approved by DPE on 21 May 2021. The combined MPW Stage 2 and Stage 3 CSWMP (rev 18, 20 November 2021) is currently being implemented on site and was approved by DPE on 18 March 2022.	Compliant

B31	Erosion and Sediment Control Plans must be updated as construction progresses and site conditions change.	Construction	Review of monthly CPESC's reports and update ESCP as required. Daily/ weekly environmental inspections to include review of ESCP's.	CPESC attends site monthly providing a report of recommended improvements to CSWMP implementation. CPESC monthly inspection reports have been submitted in accordance with condition B32 for each month of the reporting period.	Compliant
B32	The CPESC must undertake monthly inspections during construction, report on implementation of the SWMP and recommend any improvements to the SWMP and site control measures. The CPESC's report must be provided to the Planning Secretary monthly for the duration of construction or another time period as agreed by the Planning Secretary.	Construction	Include monthly CPESC's inspection/ reports in compliance matrix.	The CPESC attended site monthly and provided a report of recommended improvements for CSWMP implementation. On the 24/08/2022 DPE issued a Warning Letter regarding the timing of CPESC report submissions.	Non-Compliant
B33	All temporary construction stage erosion and sediment control infrastructure that is intended to be converted to permanent stormwater quality or on-site detention infrastructure must be constructed in accordance with the revised stormwater design drawings approved by the Planning Secretary under Condition B4.	Construction	Confirm the requirements of the revised stormwater design drawings approved by the Planning Secretary under Condition B4 are crosschecked during installation.	Not triggered for the reporting period. No temporary works to be converted to permanent works have occurred.	Not Triggered
B34	Conversion of construction stage erosion and sediment control infrastructure into permanent stormwater quality or on-site detention infrastructure must only occur once the civil works (roads and drainage) have been completed for the associated site sub catchment.	Construction	Confirm date that civil works are complete for each site sub catchment prior to conversion and record on ESCP.	Not triggered for the reporting period. No temporary works to be converted to permanent works have occurred.	Not Triggered
B35	Where construction of sediment basins and stormwater outlet works (including clearing, scour protection/ erosion control) are to be undertaken outside the site on Crown land (being the banks and bed of the Georges River), design those works must be prepared with the input of an aquatic ecologist, and evidence of DPI (Crown Lands) approval is to be provided to the Planning Secretary prior to commencement of construction. Details of finished works are to be submitted to DPI (Crown Lands) for information.	Construction	Confirm engagement of aquatic ecologist. Provide design to DPI (Crown Lands) for their review and approval. Forward DPI (Crown Lands) approval to the Planning Secretary prior to commencement of construction. Provide final design of finished works to DPI (Crown Lands).	The Construction Soil and Water Management Plan, prepared by Costin Roe (Revision 10, dated 16 March 2020), was approved by DPE on 1 April 2020. The addendum to the Construction Soil and Water Management Plan (dated 12 March 2021), was approved by DPE on 21 May 2021. The combined MPW Stage 2 and Stage 3 CSWMP (rev 18, 20 November 2021) is currently being implemented on site and was approved by DPE on 18 March 2022. A Licence under Section 2.18 of the Crown Land Management Act 2016 (licence number RN616970) was issued to Qube by the Minister on 24 July 2020.	Compliant
	Stormwater Infrastructure Operation and Maintenance Plan				

B36	Prior to commencement of operation, the Applicant must prepare a Stormwater Infrastructure Operation and Maintenance Plan to manage the operation and maintenance of stormwater infrastructure on-site and off-site, to the satisfaction of the Planning Secretary. The plan must form part of the OEMP required under Condition C5 and must be implemented for the life of the assets and must include provision for: (a) the management and maintenance of the assets, including evidence that a maintenance contract is in place with a reputable and experienced maintenance contractor; (b) quarterly inspections, and inspections after major rainfall events including scour/ bank protection structures; (c) schedule for routine checking (at least quarterly), cleaning and servicing of all water quality devices/ systems in accordance with the manufacturer's and/ or designer's recommendations; (d) maintenance of records of all maintenance activities undertaken; (e) preparing quarterly maintenance reports, detailing the results of quarterly inspections, inspections after major rainfall events, and maintenance activities; (f) recording results of water quality monitoring required under Condition B38; (g) investigation, management and mitigation of water quality target exceedances; (h) requiring annual independent auditing; and (I) procedures for submission of the quarterly maintenance reports and annual independent audit reports to the Planning Secretary, including the results of inspections, management and maintenance actions and water quality monitoring.	Prior to operation	Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval. Confirm Secretary satisfied with Stormwater Infrastructure Operation and Maintenance Plan.	Not triggered for this reporting period.	Not Triggered
B37	In addition to the requirements for independent environmental audits under Conditions C16 to C18, the annual audit of the stormwater quality system must be undertaken by a suitably qualified professional with demonstrable experience in WSUD. The audit is to verify the condition of the treatment system(s), verify and document that the system(s) is working as intended, verify the system(s) has been cleaned adequately, verify there is no excessive build-up of material in the system(s) and identify any issues with the treatment system(s) which require rectification for the system(s) to adequately perform its intended function.	Operation	Confirm engagement of independent auditor with experience in WSUD. Confirm annual independent audits are carried out in accordance with these requirements.	Not triggered for this reporting period.	Not Triggered
	Stormwater Quality Monitoring				
B38	Prior to commencement of operation, the Applicant must prepare a Stormwater Quality Monitoring Program in consultation with Council and the EPA. The program must form part of the OEMP required under Condition C5, be implemented for the life of the development and include the following: (a) base line water quality data; (b) monitoring parameters; (c) water quality assessment criteria; (d) receiving water quality monitoring sites in Anzac Creek and upstream and downstream of the site in the Georges River; (e) monitoring of water quality at sediment basin/ on-site detention/ bioretention basin outlet channels and piped outlets discharging to the Georges River; (f) frequency of sampling, including wet weather sampling; (g) method of sampling and analysis; (h) assess water quality and quantity performance for construction discharges and ongoing stormwater discharges from the development to ensure protection of the desired ecological values of Anzac Creek; and	Prior to operation	Confirm Stormwater Quality Monitoring Program review process includes a checklist against these requirements. Confirm Council and EPA consulted during development of Program.	Not triggered for this reporting period.	Not Triggered
	Acid Sulfate Soil Management				
B39	An Acid Sulfate Soils (ASS) Management Plan must be developed consistent with the Acid Sulfate Soils Manual and must: (a) deal with the unexpected discovery of actual or potential acid sulfate soils; and (b) include procedures for the investigation, handling, treatment and management of such soils and water seepage. The Plan is to form part of the CEMP required by Condition C2.	Prior to construction	Confirm ASS Management Plan prepared and included in CEMP.	Acid Sulfate Soils Management Plan, prepared by EP Risk (Revision 5, dated 30 January 2020), was approved by DPE on 21 February 2020.	Compliant
	Land Disturbance, Earthworks and Importation. Of Fill				
B40	The Applicant must: (a) keep accurate records of the source, volume and type of fill imported to, and material removed from, the site; and (b) make these records available to the Department or EPA upon request.	At all times	Confirm records of source, volume and type of fill are maintained.	Records of source, volume and type of fill imported to site are kept and are available for provision to DPE and the EPA, if requested. No requests were received during the reporting period.	Compliant

B41	Land disturbance and land filling activities must be undertaken: (a) in a phased manner, impacting a maximum contiguous area of 65 hectares at any one time; and (b) with no disturbance (including vegetation clearing) of another area (other than the construction of erosion and sediment control measures and associated drainage for the separation of clean and dirty water) until: (I) a C-factor of 0.05 has been achieved on the previous phase, and (ii) at least 75% of the permanent stabilisation works have been implemented for the previous phase, and (iii) at least 95% all of the permanent stabilisation works on any other previously disturbed area have been implemented. Note: for the purposes of this condition, permanent stabilisation works include established grass cover and for the southern fill area where future warehousing is proposed, must be in accordance with Condition B65.	Construction	Confirm land disturbance and filling activities are undertaken in accordance with these requirements through regular inspections / review process.	The Construction Soil and Water Management Plan, prepared by Costin Roe (Revision 10, dated 16 March 2020), was approved by DPE on 1 April 2020. The combined MPW Stage 2 and Stage 3 CSWMP (rev 18, 20 November 2021) is currently being implemented on-site and was approved by DPE on 18 March 2022. The CPESC attends the site monthly providing a report of recommended improvements to CSWMP implementation in accordance with B32. No issues have been raised by the CPESC in these monthly reports.	Compliant
B42	Stockpiling of imported fill is not permitted for longer than 6 months before placement.	At all times	Confirm records of source, volume, type of fill and date received are maintained.	The Construction Soil and Water Management Plan, prepared by Costin Roe (Revision 10, dated 16 March 2020), was approved by DPE on 1 April 2020. The addendum to the Construction Soil and Water Management Plan (dated 12 March 2021), was approved by DPE on 21 May 2021. The combined MPW Stage 2 and Stage 3 CSWMP (rev 18, 20 November 2021) is currently being implemented on site and was approved by DPE on 18 March 2022.	Compliant
B43	Stockpiles must: (a) not exceed 10 m in height; (b) be benched over 4 m in height; (c) have maximum of 1V:3H **slopes or a steeper slope where certified by a suitably qualified geotechnical specialist**; and (d) be stabilised if not worked on for more than 10 days.	At all times	Confirm inclusion of imported fill and stockpile management measures in CEMP. Confirm stockpiles meet these requirements through regular environmental inspections / compliance reports.	The Construction Soil and Water Management Plan, prepared by Costin Roe (Revision 10, dated 16 March 2020), was approved by DPE on 1 April 2020. The addendum to the Construction Soil and Water Management Plan (dated 12 March 2021), was approved by DPE on 21 May 2021. The combined MPW Stage 2 and Stage 3 CSWMP (rev 18, 20 November 2021) is currently being implemented on site and was approved by DPE on 18 March 2022. *MPW Stage 2 (SSD 7709) Modification 2 - Adjustment to construction related conditions* , prepared by Aspect Environmental (dated 29 March 2021), sought changes to stockpiling conditions in response to the NCR raised in the previous reporting period. Modification 2 was approved by DPE on 30 September 2021.	Compliant
B44	Placed fill must be stabilised if construction does not commence within 10 days.	At all times	Confirm inclusion of imported fill and stockpile management measures in CEMP. Confirm fill stabilised if construction does not occur within 10 days - through regular environmental inspections / compliance reports.	The Construction Soil and Water Management Plan (CSWMP), prepared by Costin Roe (Revision 10, dated 16 March 2020), was approved by DPE on 1 April 2020. The addendum to the Construction Soil and Water Management Plan (dated 12 March 2021), was approved by DPE on 21 May 2021. The combined MPW Stage 2 and Stage 3 CSWMP (rev 18, 20 November 2021) is currently being implemented on site and was approved by DPE on 18 March 2022.	Compliant

B45	The design of fill batters must ensure stability, mitigate visual impacts, provide for maintenance activities and demonstrate that there are no impacts on adjacent lands, including biodiversity offset areas and the riparian corridor.	At all times	Confirm inclusion of imported fill and stockpile management measures in CEMP.	The Construction Soil and Water Management Plan, prepared by Costin Roe (Revision 10, dated 16 March 2020), was approved by DPE on 1 April 2020. The combined MPW Stage 2 and Stage 3 CSWMP (rev 18, 20 November 2021) is currently being implemented on site and was approved by DPE on 18 March 2022.	Compliant
	Dust Minimisation				
B46	The Applicant must ensure dust emissions generated by the development do not cause exceedances of the following criteria at private property not associated with the development: (a) 2 g/m2/month maximum increase in deposited dust level; and (b) 4 g/m2/month maximum deposited dust level.	At all times	Confirm inclusion of dust minimisation measures in CEMP. Review dust monitoring data collected as part of the CEMP. Review complaints register and incident register for any exceedances in accordance with the reporting criteria in the CEMP.	Measures for managing air quality are included in Appendix H of the CEMP (rev J) dated 14 January 2020, approved by DPE 23 January 2020. The CEMP (rev L, 22 March 2021) was revised in accordance with SSD 7709-Mod-1 approval and approved by DPE on 21 May 2021. The combined MPW Stage 2 and Stage 3 CEMP (rev Q, 2 December 2021) is currently being implemented on site and was approved by DPE on 18 March 2022. Although elevated levels of dust were recorded at one receiver during the month of August, dust gauges at the boundary of the precinct indicate that deposited dust levels remain below accepted criteria.	Compliant
	Prevention of Odours				
B47	The Applicant must ensure the development does not cause or permit the emission of any odour, which may be offensive odour (as defined in the POEO Act) outside of the premises (as defined in the POEO Act).	At all times	Confirm inclusion of odour management measures in CEMP. Review complaints register and incident register.	Measures for managing air quality are included in Appendix H of the CEMP (rev J) dated 14 January 2020, approved by DPE on 23 January 2020. The revised CEMP (rev Q, 2 December 2021) is currently being implemented on site and was approved by DPE on 18 March 2022. Revision Q of the CEMP represents the now combined management plan for MPW S2 and S3. No complaints in relation to odour were received during the reporting period.	Compliant
B47A	Prior to the commencement of operation of the MPW development, the Applicant must prepare an Operational AQMP (AQMP) for the entire precinct (MPE + MPW) and submit for the approval of the Planning Secretary. The Applicant may submit a plan approved under an approval for the MPE site, provided it is amended to apply to and address air quality impacts of the MPW development. The AQMP must be prepared by a suitably qualified person(s) and must form part of the OEMP required by condition C5. The AQMP must demonstrate how the development would comply with the conditions of consent, and include: (a) identification of sources and quantify airborne pollutants; (b) best practise reactive and proactive control measures that will be implemented for each emission source; (c) provisions for the implementation of additional measures in response to issues identified during monitoring and reporting; (d) for all emission sources associated with site operations; (i) key performance indicator(s); (ii) monitoring method(s); (iii) location, frequency and duration of monitoring; (iv) recording keeping; (v) complaints register; (vi) response procedures; and (vii) compliance monitoring. (e) phased conversion to reach stackers of Tier 4 standard for particle emissions (or equivalent standard that is satisfactory to the Secretary) at the MPW Site within ten years of first operation of the Site.	Prior to operation	Review content of ONMP to confirm it accords with requirements.	Not triggered for the reporting period.	Not Triggered

B47B	The Applicant must: (a) not commence operation until the AQMP is approved by the Planning Secretary; and (b) operate the development on accordance with the AQMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).	Prior to operation	Record submission of OAQMP to Secretary for approval. Record approval of OAQMP from Secretary.	Not triggered for the reporting period.	Not Triggered
	Urban Heat Island Mitigation (UHIM)				
B48	The Development must be designed and operated to meet Urban Heat Island Mitigation principles and to achieve a 4°C degree decrease in temperature compared to neighbouring industrial developments by including measures such as: (a) WSUD elements such as wetlands; (b) shade tree planting; (c) vegetation ground cover; (d) use of 'cool' building and pavement materials (i.e. those with high reflectivity in the infrared spectrum); and (e) green roofs.	At all times	Review the Urban Heat Island Mitigation principles and verify the development achieves a 4°C degree decrease in temperature compared to neighbouring industrial developments.	Urban Heat Island Mitigation is addressed in Section 2.2 of the Urban Design Development Report (UDDR), prepared by Reid Campbell (rev 5, dated 9 July 2020), which was approved by DPE on 12 August 2020. The revised UDDR (rev 6, 5 March 2021) is currently being implemented on site and was approved by DPE on 11 November 2021.	Compliant
	Ecologically Sustainable Development				
B49	The Development must be designed and operated to meet ESD principles and include measures such as the following: (a) passive solar design; (b) use of energy efficient plant and equipment; (c) use of renewable energy sources; (d) cross-ventilation (e) selection of materials with lower energy manufacturing requirements; (f) use of locally sourced materials to reduce impacts associate with transport; (g) rainwater capture and reuse; (h) water efficient fixtures and fittings; and (I) waste minimisation and recycling.	At all times	Confirm design measures demonstrate B49 (a)-(I). Confirm submission of details to Certifier prior to commencement of construction.	Ecologically sustainable design is addressed in Section 2.3 of the approved UDDR, prepared by Reid Campbell (rev 5, dated 9 July 2020), which was approved by DPE on 12 August 2020. The revised UDDR (rev 6, 5 March 2021) is currently being implemented on site and was approved by DPE on 11 November 2021.	Compliant
B50	The Development must register for a 'design' and 'as built' rating under the Infrastructure Council of Australia (ISCA) rating tool for development infrastructure.	Construction	Confirm registration of 'design' and 'as built' rating under the Infrastructure Council of Australia (ISCA) rating tool for development infrastructure.	The development is registered for 'design' and 'as built' ISCA rating. https://www.isca.org.au/Ratings-Directory/Moorebank_Logistics_Park	Compliant
B51	The Development must be designed and operated to meet minimum 4 star Green Star certification by the Green Building Council of Australia for warehouse design, construction and operation	Construction and operation	Confirm the requirements of 4 star Green Star certification by the Green Building Council of Australia for warehouse design, construction and operation. Cross check design against the requirements.	Subject to detailed design.	Not Triggered
	Urban Design Development Report, Revised Landscape Design Drawings and Revised Architectural Drawings				
B52	Prior to commencement of permanent built surface works and/ or landscaping, an Urban Design Development Report, Revised Landscape Design Drawings and Revised Architectural Drawings including plans, sections and details and supporting documentation must be submitted to the Planning Secretary for approval. Note: For the purposes of this condition, earthworks including placement of fill are not considered permanent built surface works .	Construction - Prior to commencement of permanent built surface works and/ or landscaping	Confirm the Urban Design Development Report, Revised Landscape Design Drawings and Revised Architectural Drawings including plans, sections and details and supporting documentation is submitted to the Planning Secretary for approval. Confirm Secretary approval prior to commencement of permanent built surface works and/ or landscaping.	The UDDR, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPE on 12 August 2020. The revised UDDR (rev 6, 5 March 2021) is currently being implemented on site and was approved by DPE on 11 November 2021. The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR. The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.	Compliant
B53	The Urban Design Development Report must be developed in consultation with the Government Architect NSW (GANSW) and provide detailed objectives for design and operation of the development and define place specific urban design principles incorporating those outlined in Conditions B48, B49 and B57. Details of the consultation are to be submitted as part of the Urban Design Development Report.	Construction	Confirm consultation with GANSW has occurred. Confirm consultation records are submitted with the Urban Design Development Report to the Secretary.	The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPE on 12 August 2020. The revised UDDR (rev 6, 5 March 2021) is currently being implemented on site and was approved by DPE on 11 November 2021. Conditions B48, B49 and B57 are addressed in sections 2.2, 2.3 and 2.4 of the approved UDDR, respectively.	Compliant

B54	The revised landscape and architectural drawings and design details must be at a suitable scale (minimum plan view scale of 1:1000 at A1 with sections and details at a minimum scale of 1:200 at A1) to demonstrate: (a) how the objectives and principles developed in the Urban Design Development Report required under Condition B53 have been incorporated into the design; (b) the revised warehouse layout in accordance with Condition B2; and (c) compliance with the criteria specified in Conditions B59 to B74.	Construction	Confirm revised landscape and architectural drawings and design details review process includes a checklist against these requirements.	The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPE on 12 August 2020. The revised UDDR (rev 6, 5 March 2021) is currently being implemented on site and was approved by DPE on 11 November 2021. The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR. The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.	Compliant
	Urban Design and Landscape Independent Peer Review				
B55	An independent peer review report must be submitted with the Urban Design Development Report and Revised Landscape Design Drawings and Revised Architectural Drawings and supporting documentation.	Construction	Confirm that an Independent Peer Review Report is completed. Confirm Independent Peer Review Report is submitted with the Urban Design Development Report and Revised Landscape Design Drawings and Revised Architectural Drawings and supporting documentation to the Secretary.	The independent peer review report, prepared by Matthew Pullinger Architect (dated 13 December 2019) is provided as Appendix 4.5 of the approved UDDR.	Compliant
B56	The review must: (a) be undertaken by an expert(s) in urban design and landscaping (for example, a member of the State Design Review Panel); (b) include an assessment of the Revised Landscape Design Drawings, Revised Architectural Drawings and supporting documentation against the objectives and urban design principles established in the Urban Design Development Report and all relevant conditions, stating whether the drawings demonstrate achievement of the objectives and urban design principles and that all relevant conditions of this consent have been satisfied; and (c) include comments justifying conclusions reached in the assessment. Note: The revised landscape drawings, architectural drawings and supporting documentation will not be accepted until they meet the objectives and design principles and all relevant conditions to the satisfaction of, with justification provided by, the peer reviewer.	Construction	Confirm technical expert approved by Secretary prior to engagement and commencing report. Confirm review process includes a checklist against these requirements prior to submission to the Secretary for approval.	The independent peer review report, prepared by Matthew Pullinger Architect (dated 13 December 2019) is provided as Appendix 4.5 of the approved UDDR.	Compliant
	Landscape Design				
B57	The Revised Landscape Design Drawings must demonstrate a design that generally incorporates the principles outlined in Better Placed, Greener Places and the Green Grid documents by the NSW Government Architect and the Western Sydney District Plan (March 2018) by the Greater Sydney Commission, and: (a) provide for visitor and worker amenity; (b) incorporate 'safer by design' principles; (c) use locally indigenous species; (d) be integrated with the stormwater system design set out in the Revised Stormwater Design Drawings required under Condition B4; and (e) mitigate the visual impacts of buildings and infrastructure particularly when viewed from Casula.	Construction	Confirm the review process includes a checklist against these requirements prior to submission to the Secretary.	The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.	Compliant
	Design Criteria				
B58	The Revised Landscape Design Drawings and Revised Architectural Drawings and associated elements must demonstrate a design that meets the design criteria and other requirements listed in Conditions B59 to B74.	At all times	For reference.	Noted.	Compliant
	Staff and Visitor Facilities				
B59	Pedestrian and cycle paths must: (a) be provided through the site to provide connections to Moorebank Avenue, the rail terminal office and between warehouses and the freight village; and (b) integrate with existing and planned footpaths or cycleways in the locality.	Construction	Confirm review process includes a checklist against these requirements.	The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.	Compliant

B60	Paths must be integrated with landscaping and include meanders to allow for canopy tree clusters and a more varied walking/ riding experience.	Construction	Confirm review process includes a checklist against these requirements.	The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR. The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.	Compliant
B61	The rail terminal office, freight village and each warehouse must include an outdoor meal break area with shade, seating, lighting and landscaping including shrubs and groundcover and canopy trees where reasonable. In addition, the freight village outdoor area(s) must include a water fountain(s) or other fresh drinking water provision.	Construction	Confirm review process includes a checklist against these requirements.	The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.	Compliant
B62	Secure bicycle parking and end-of-trip facilities must provide: (a) a minimum 1 staff bicycle parking per 10 staff (or 1 per 10 car spaces if staff numbers are undetermined); (b) compliance with the minimum requirements of AS 2890.3:2015 Parking facilities - Bicycle parking for the layout, design and security of bicycle facilities, and be located in easy to access, well-lit areas that incorporate passive surveillance; and (c) under cover bike storage, showers and change facilities at each warehouse sufficient to accommodate the needs of the forecast number of employees.	Construction	Confirm review process includes a checklist against these requirements.	The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.	Compliant
	Landscaping				
B63	The following minimum setbacks apply: (a) 18 m from Moorebank Avenue with minimum soft landscaped width of 10 m, subject to any variation agreed to by the Planning Secretary at the site entrance for the purpose of facilitating the primary access driveway into the site; and (b) 5 m setback from the western internal road to warehouse carparks. Note: See also Condition B2.	Construction	Confirm Landscaping Plans review process include checklist against these requirements.	The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.	Compliant
B64	Canopy tree planting must be provided around the perimeter of the site, including the southern fill area where future warehousing is proposed.	Construction	Confirm Landscaping Plans review process include checklist against these requirements.	The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.	Compliant
B65	The southern fill area where future warehousing is proposed must be topsoiled and hydroseeded with native grasses.	Construction	Confirm Landscaping Plans review process include checklist against these requirements.	The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.	Compliant
B66	Perimeter fill batters must be stabilised with vegetation.	Construction	Confirm these requirements addressed in UDLP and review process. Regular inspections and compliance reports.	The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.	Compliant
B67	Landscaping within the warehouse area must include dense canopy tree planting, shrubs, sedges, herbs, ground covers and tufted native grasses primarily derived from OEH lists of Cumberland Plain Woodland. The canopy tree mix must include some or all of the following species: Eucalyptus crebra, Eucalyptus moluccana Eucalyptus amplifolia, Eucalyptus bosistoana, Eucalyptus eugenioides, Eucalyptus tereticornis, Eucalyptus punctate, Eucalyptus baueriana, Corymbia maculata, Angophora floribunda and Angophora bakeri.	Construction	Confirm these requirements addressed in UDLP and review process. Regular inspections and compliance reports.	The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.	Compliant

B68	The following minimum landscaping requirements apply: (a) 15% of the warehouse area landscaped at ground level, 10% of which must be soft landscaping, excluding the OSD basins unless they are accepted as contributing to soft landscaping in the peer review report required under Condition B55; (b) 1 canopy tree per 30 m2 of landscaped area; and (c) a 2.5 m wide landscaped bay every 6-8 car spaces to provide shade within carpark areas or alternative carpark landscaping (such as linear planting of vegetation of a minimum width of 2m between rows of carparking) accepted as providing adequate shade in the peer review report required under Condition B55. Note: For the purposes of this condition, canopy trees are not required to be planted on or immediately adjacent to vehicle paths between the intermodal terminal and the eastern elevation of each warehouse.	Construction	Confirm Landscaping Plans review process include checklist against these requirements.	The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR. The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.	Compliant
	Noise Walls, Retaining Walls and Fencing				
B69	Perimeter and on-site detention and biofiltration/ bioretention basin fences higher than 1.2m must be transparent and dark in colour but not constructed of chain wire, to provide visual amenity	Construction	Confirm review process includes checklist against these requirements.	The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPE on 12 August 2020. The revised UDDR (rev 6, 5 March 2021) is currently being implemented on site and was approved by DPE on 11 November 2021.	Compliant
B70	Boundary fencing design must allow for fauna movement where required under Condition B152(b).	Construction	Confirm these requirements addressed in UDLP and review process. Regular inspections and compliance reports	Koala Management Plan, prepared by Cumberland Ecology (Version 3, dated 12 March 2020), was approved by DPE on 4 May 2020.	Compliant
B71	Screen fencing and planting must be provided around waste bins or other outside storage areas.	Construction	Confirm these requirements addressed in UDLP and review process. Regular inspections and compliance reports	The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.	Compliant
B72	Screen planting must be provided on both sides of noise walls.	Construction	Confirm these requirements addressed in UDLP and review process. Regular inspections and compliance reports	The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.	Compliant
B73	Retaining wall materials and colours must be of a natural appearance and incorporate landscaping.	Construction	Confirm these requirements addressed in UDLP and review process. Regular inspections and compliance reports	The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPE on 12 August 2020.	Compliant
B74	Noise barriers must minimise visual and amenity impacts and be designed in accordance with the Noise wall design guideline – Design guideline to improve the appearance of noise walls in NSW (RMS, March 2016).	Construction	Confirm visual amenity review process includes checklist against these requirements.	The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR. The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.	Compliant
	Urban Design and Landscaping Supporting Information				
B75	The following must be included on, or provided with the Revised Landscape Design Drawings required under Condition B52: (a) irrigation systems; (b) planting schedule including tree and shrub species, expected mature height, planting densities and pot sizes; (c) soil specification and depth for landscaped areas in relation to pot sizes and species to ensure the viability of shrubs and trees; (d) landscaping around the southern and northern boundaries of the site; and (e) noise wall, retaining wall and fencing graphics and material details.	Construction	Confirm revised urban design and landscaping details review process includes a checklist against these requirements.	The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.	Compliant
	Lighting				

B76	Operational lighting must: (a) comply with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and (b) be designed to reduce light spill and be mounted, screened and directed in such a manner that it does not create a nuisance and minimises visual impacts to surrounding properties, the public road network, the Georges River riparian corridor and the Boot Land.	Operation	Confirm operational lighting design for site complies with nominated Australian Standards.	The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPE on 12 August 2020. The revised UDDR (rev 6, 5 March 2021) is currently being implemented on site and was approved by DPE on 11 November 2021.	Compliant
	Signage				
B77	The following signage is not permitted: (a) general advertising or moving or flashing signs; (b) west facing illuminated building signage visible from residences; and (c) internally illuminated signs that are visible from residences;	At all times	Confirm CEMP and OEMP contain restrictions to signage. Conduct regular visual inspections and compliance reporting in construction and operational phases.	The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPE on 12 August 2020. The revised UDDR (rev 6, 5 March 2021) is currently being implemented on site and was approved by DPE on 11 November 2021. The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.	Compliant
B78	Signage must not occupy more than 10% of any façade or wall of a building.	At all times	Confirm signage review process includes checklist against this requirement.	The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPE on 12 August 2020. The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.	Compliant
	Building Floor Levels				
B79	Building floor levels must be a minimum of 150 mm above the maximum design stormwater overland flow path levels. Building floor levels and associated maximum design stormwater overland flow path levels to AHD must be indicated on the architectural cross-section drawings.	Design, Prior to Construction	Confirm architectural designs review process includes checklist against these requirements.	Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPE on 19 May 2020. The addendum to the Stormwater System Design drawings (Rev A, dated 7 April 2021) was approved on 3 June 2021 and is included as Appendix A of the approved Stormwater Design Development Report.	Compliant
	Rainwater Re-use				
B80	A rainwater tank(s) must be included on each warehouse, the freight village and rail terminal bui	Construction	Confirm these requirements addressed in the UDLP and review process. Regular inspections and compliance reports.	The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPE on 12 August 2020. The revised UDDR (rev 6, 5 March 2021) is currently being implemented on site and was approved by DPE on 11 November 2021. The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.	Compliant
B81	Rainwater must be used for irrigation, all internal non-potable uses, the container washdown facility and be considered for cooling towers; heating, ventilation, and air conditioning; and ground source heat exchange.	Construction and Operation	Confirm these requirements addressed in the UDLP and review process. Regular inspections and compliance reports.	The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPE on 12 August 2020. The revised UDDR (rev 6, 5 March 2021) is currently being implemented on site and was approved by DPE on 11 November 2021. The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.	Compliant
	Landscape Maintenance				

B82	Prior to commencement of operation, the Applicant must prepare a Landscape Vegetation Management Plan (LVMP) and submit it to the Planning Secretary for approval. The LVMP must be prepared by a suitably qualified and experienced person(s) and form part of the OEMP required under Condition C5. The LVMP must include: (a) an inspection and maintenance schedule and require replacement plantings for shrubs and trees which fail at an equivalent pot size or larger; and (b) graffiti management.	Prior to operation	Preparation of LVMP by suitable person(s). Confirm LVMP writing process includes checklist against these requirements.	Not triggered for this reporting period.	Not Triggered
	Pest and Weed Control				
B83	The Applicant must: (a) implement measures to manage pests, vermin and declared noxious weeds on the site; and (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the surrounding area. Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Biosecurity Act 2015.	At all times	Confirm CEMP includes pest and weed management measures.	Section 2.1.1 of the approved Construction Flora and Fauna Management Plan (CFFMP) addresses pest and weed control measures for the site. The CFFMP, prepared by Arcadis (Revision N, dated 2 December 2021), was approved by DPE on 18 March 2021.	Compliant
	Traffic and Access				
B84	The Applicant is to undertake the following road infrastructure upgrades, in accordance with the specified timing requirements as set out in Table 1.	Construction	Confirm Traffic Management Plan review includes checklist against requirements set out in Table 1.	The 100% design approval was received during the reporting period and AFC design was under review. Final design documentation was submitted to TfNSW for approval on 14 April 2022. A Design Documents Certificate (MAAI-PV-CERT00) was received on 26 April 2022 (SMEC Australia Pty Ltd). The Works Authorisation Deed was executed in June 2022. TfNSW acceptance of the WAD design documents was provided on 17 June 2022.	Compliant
B85	The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, must be in accordance with Austroads requirements. Prior to commencement of construction of permanent built surface works, a plan must be submitted to the Planning Secretary and RMS for approval, which shows that the proposed development complies with this requirement.	Construction	Confirm Traffic Management Plan review includes checklist against Austroads requirements. Confirm submission of plan to Planning Secretary.	The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021. TfNSW approval of swept path analysis for Warehouse 6 remains pending.	Non-Compliant
B86	The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements in relation to landscaping and/ or fencing, aisle widths, aisle lengths, and parking bay dimensions) must be in accordance with AS2890.1-2004 Parking facilities Off-street car parking, AS2890.6-2009 Parking facilities Off-street parking for people with disabilities and AS2890.2-2002 Parking facilities Off-street commercial vehicle facilities for heavy vehicle usage.	Construction	Confirm Traffic Management Plan review process includes checklist against AS2890.1-2004, AS2890.6-2009 and AS2890.2-2002 requirements.	The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPE on 12 August 2020. The revised UDDR (rev 6, 5 March 2021) is currently being implemented on site and was approved by DPE on 11 November 2021.	Compliant

B87	The Applicant is to locate any drainage infrastructure to support the Stage 2 development entirely within the development site and not within the roadway, unless agreed by TfNSW and/or Liverpool City Council. The location of other existing and future utility and service infrastructure must be located outside the roadway being upgraded unless provision within the roadway is agreed by TfNSW and/ or Liverpool City Council with relevant Roads Act 1993 approval.	Construction	Confirm development of UDDR and CTAMP detailing these requirements for utility and service infrastructure.	The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPE on 12 August 2020. The revised UDDR (rev 6, 5 March 2021) is currently being implemented on site and was approved by DPE on 11 November 2021. The CTAMP, prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant
B88	Road design must incorporate any structures for fauna movement between the Georges River riparian corridor and the Boot Land, either under or below the road, that have been identified by the Management Plan as required under Condition B152. Note: See also Condition B2(l) and B152(d)	Construction and operation	Confirm development of UDDR and CTAMP detailing these requirements for utility and service infrastructure.	Koala Management Plan, prepared by Cumberland Ecology (Version 3, dated 12 March 2020), was approved by DPIE on 4 May 2020.	Compliant
B89	Heavy vehicles used for haulage of imported fill or freight must not use Cambridge Avenue during construction and operation of the development.	Construction and operation	Confirm Traffic Management Plan review includes checklist against these requirements.	The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant
B90	Access to the ABB site must be maintained throughout construction and operation of the development.	Construction and operation	Confirm Traffic Management Plan review includes checklist against these requirements.	The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant
B91	The Applicant must: (a) consult with the owners/occupiers of the ABB site throughout construction and operation; (b) provide details of construction works adjacent to the ABB site prior those works occurring; and (c) ensure the proposal does not adversely impact overland flow paths or existing stormwater infrastructure on the ABB site.	Construction and operation	Confirm development of CTAMP and OTAMP detailing these consultation requirements for ABB.	The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant
B92	The Applicant must ensure that the construction and operation of the proposed development will not prevent the public use of Moorebank Avenue to a standard commensurate to its use prior to the development. Note: Temporary closures or part closures and changes to the operation of Moorebank Avenue may occur for limited periods during construction as detailed in the Construction Traffic and Access Management Plan.	Construction and operation	Confirm Traffic Management Plan review includes checklist against these requirements.	The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant

B93	The development is to be designed and operated so that: (a) all vehicles are wholly contained on site before being required to stop; (b) adequate parking for heavy vehicles is provided on-site to accommodate any potential delays in schedule time; (c) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site; (d) all loading and unloading of materials is carried out on-site; and (e) site roads accommodate buses, bus infrastructure and cyclist use for employees.	Construction and operation	Confirm Traffic Management Plan review includes checklist against these requirements.	The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant
	RMS Supplementary Requirements				
B94	The civil design and Traffic Control Signal (TCS) plans for the upgrades identified in Table 1 of Condition B84 must be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner. The designs must be in accordance with Austroads Guide to Road Design in association with relevant RMS supplements (available on www.rms.nsw.gov.au). The certified copies of the TCS design and civil design plans must be submitted to RMS for approval before the issue of a Construction Certificate and commencement of road works. RMS fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.	Construction	Confirm TCS plans are drawn by suitable person and endorsed by a suitably qualified PR actioner. Confirm TCS review process includes checklist against Austroads Guide to Road Design. Confirm via email documents received by RMS. Confirm fees paid.	The Works Authorisation Deed was executed in June 2022. TfNSW acceptance of the WAD design documents was provided on 17 June 2022. Traffic control signal plans were prepared by DM Roads and were approved by TfNSW on 4 August 2022. TfNSW confirmed receipt of required fees on 30 June 2022.	Not Triggered
B95	All documentation required under Condition B94 must be sent to development.sydney@rms.nsw.gov.au.	Construction	Confirm via email documents received.	MAAI upgrade works submissions have been provided to TfNSW in accordance with this condition. Required documentation was provided in 24 June 2022.	Compliant
B96	RMS fees for administration, plan checking, civil works inspections and project management must be paid by the applicant before the commencement of road upgrades identified in Table 1 of Condition B84.	Prior to commencement of road upgrades	Confirm receipt of fees.	The Works Authorisation Deed was executed in June 2022. TfNSW confirmed that receipt of required fees on 30 June 2022.	Compliant
B97	The applicant must enter into a Works Authorisation Deed (WAD) with RMS for the works identified in Table 1 of Condition B84. The applicant must also dedicate as public road under the Roads Act 1993 the parts of Lot 2 DP 1197707 (incorporating existing Moorebank Avenue) and any other land required to accommodate the road and intersection upgrade works (including associated pathways and services) identified in Table 1 of Condition B84. The WAD must provide for the dedication of the required land as public road under the Roads Act 1993 as a pre-condition to practical completion of the road and intersection upgrade works being achieved under the WAD. A Construction Certificate cannot be issued for any part of the road and intersection upgrade works unless a WAD has been entered into in compliance with this condition. The road and intersection works identified in Table 1 of Condition B84 cannot be opened for use by traffic unless all required land has been dedicated as public road in accordance with this condition..	Construction	Confirm Works Authorisation Deed entered into with RMS addresses these requirements.	The Works Authorisation Deed was executed in June 2022. The executed WAD includes an agreement with TfNSW providing for dedication of land as a public road	Not Triggered
B98	The Applicant is required to dedicate land as public road for the maintenance of the Traffic Control Signals and associated infrastructure; further details will be included as part of the WAD process.	Construction	Confirm Works Authorisation Deed entered into with RMS addresses these requirements.	The Works Authorisation Deed was executed in June 2022. The executed WAD includes an agreement with TfNSW providing for dedication of land as a public road for the maintenance of traffic control signals and associated infrastructure. Road dedication has not yet occurred.	Not Triggered
B99	Prior to any installation of temporary portable traffic signals and other traffic management measures on Moorebank Avenue or Anzac Road, the Applicant must obtain the relevant approvals from RMS.	Construction	Confirm relevant approvals have been received.	The Following Road Occupancy Licences were received during the reporting period: - Licence No: 1936434, received for works commencing 5 November 2022 - Licence No: 1882510, received for works commencing 1 August 2022 - Licence No: 1899486, received for works commencing 1 September 2022.	Compliant
B100	All works associated with signposting along Moorebank Avenue must be approved by RMS.	Construction	Confirm RMS approval prior to works.	Noted.	Not Triggered

B101	The works associated with traffic signals and road upgrade works are to be designed and delivered at no cost to TfNSW or RMS.	Construction	For reference.	Noted.	Not Triggered
B102	The Applicant must pay all costs incurred by Council and/ or RMS in relation to public road dedication of Commonwealth owned land.	Construction	Confirm fees have been paid.	Not triggered for this reporting period, road dedication has not yet occurred. TfNSW costs will be paid subject to receipt of cost details under the WAD for the MAAI upgrade works, and Council costs will be paid subject to receipt of cost details under relevant agreements for the MAAI upgrade works. The Works Authorisation Deed was executed in June 2022.	Not Triggered
B103	The Applicant is required to negotiate and execute an Interface and Access Deed with RMS and the M5 Operator (Interlink Roads Pty Ltd) prior to road construction works commencing, to address matters including interface between the parties, access provisions, compensation arrangements, and traffic management for the road upgrade works carried out on Lots 3 and 4 in Deposited Plan 1063765.	Prior to road construction works commencing	Confirm Interface and Access Deed with RMS and Interlink prior to construction addressing these traffic and access requirements.	Road works have yet to commence. An Interface and Access deed is not required, as no works will occur within Lots 3 and 4 in Deposited Plan 1063765.	Not Triggered
B104	The Applicant is to ensure that the construction and operation of the proposed development will not prevent the ongoing use of Moorebank Avenue as a public road to a standard commensurate to its current use prior to the development. A staging plan should be submitted to RMS for approval, as part of the WAD package, to ensure adequate capacity is provided along Moorebank Avenue at all times, including a requirement to maintain two lanes open to traffic. The staging plan should provide details of how the road and intersection upgrade works tie into other road upgrades works approved under the MPE Stage1 and 2 SSD applications. Any temporary diversion works not located within the Moorebank Avenue roadway will require separate planning approval.	Construction and operation	Confirm submission of staging plan to RMS. Confirm staging plan review process includes checklist against these requirements.	The WAD was executed in June 2022.	Compliant
B105	There are to be no works undertaken by the Applicant within the RMS (M5 Motorway) land and no impact on RMS drainage infrastructure system or on adjoining Roads and Maritime assets, without the consent of the RMS and M5 Motorway Operator (Interlink).	Construction	Confirm any works undertaken under these conditions have consent.	Works will not be undertaken across the M5 corridor boundary. The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Not Triggered
B106	The Applicant is to liaise with and obtain relevant approvals from RMS in relation to any proposed drainage and excavation works, erection of new and/ or maintenance of existing fencing on the M5 Motorway boundary, erection of new noise attenuation infrastructure, and any other construction works that may impact the M5 Motorway corridor. Note: Contact is to be made to Matthew Messina, Commercial Manager Motorway Partnerships and Planning on 02 8588 4119	Construction	Confirm relevant approvals have been received from RMS.	The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Not Triggered

B107	To ensure that Environment, Work Health and Safety laws are fully implemented within and near the M5 Motorway corridor, the Applicant's staff/ contractors must be inducted into the M5 Motorway operator's (Interlink) corridor and fill out a Motorway Access Permit for site activities on or immediately adjoining M5 Motorway land, if work has to be undertaken from the M5 Motorway side. The Applicant may be required to complete a commercial agreement or bank undertaking that sufficiently mitigates the M5 Operator's (Interlink) risk.	Construction	Confirm staff/contractors are inducted and have completed permit for works under these conditions.	Motorway Access Permits are being obtained by staff and contractors as required. The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant
B108	A Road Occupancy Licence is to be obtained from the Transport Management Centre for any works that may impact on traffic flows on Moorebank Avenue or the adjoining State road network during construction activities.	Construction	Confirm receipt of Road Occupancy Licence.	Road works have yet to commence. This condition is satisfied through execution of the Works Authorisation Deed (WAD). The WAD was executed in June 2022. The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Not Triggered
B109	A construction zone will not be permitted on Moorebank Avenue without the express approval of RMS.	Construction	Confirm approval from RMS where construction zones required to be established on Moorebank Ave.	The Works Authorisation Deed was executed in June 2022. TfNSW approval for the establishment of construction zone will be sought prior to the commencement of the construction of road works. No construction zone has been installed during the reporting period. The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Not Triggered
B110	Access is denied across the M5 Motorway corridor boundary and all buildings and structures are to be located wholly within the freehold property.	Construction	For reference.	Noted.	Not Triggered
	Interim Operational Site Access				
B110a	**Until operational access to the site is provided (that is, as part of the Moorebank Ave and Anzac Road intersection upgrades required under condition B84), the Applicant must ensure that the operational access point to the site is via the Chatham Avenue/Moorebank Avenue intersection, or any other alternative as agreed by Transport for NSW in writing.** ***Note: Prior to the occupation of any warehouse on the site, the Applicant must undertake a pre-opening road safety audit of its interim operation site access, and incorporate the corrective actions outlined in that Road Safety Audit, under conditions B112A and B112C.***	**Construction**	**Confirm location of operational site access prior to the commencement of operations, or an alternative as agreed with TfNSW.**	Not triggered for this reporting period.	Not Triggered
	Road Safety Audit				

B111	Prior to commencement of any works, the Applicant must undertake a Road Safety Audit for heavy vehicle movements associated with the importation of fill, for construction vehicle swept paths in and out of the development site via the proposed construction access points along Moorebank Avenue, and for motorists and construction vehicle movements along Moorebank Avenue during the staged road upgrade works identified in Table 1. The Road Safety Audit must be prepared by an independent TfNSW accredited road safety auditor in accordance with the relevant Austroads guidelines to identify any safety issues. The Road Safety Audit must consider road safety issues for the proposed construction access arrangements and affected vehicle movements.	Prior to construction	Confirm engagement of accredited TfNSW road safety auditor. Confirm Road Safety Audit completed in accordance with these requirements.	The Moorebank Avenue Heavy Vehicle Access - Design Road Safety Audit (RSA) (dated 16 July 2020) was prepared by ARRB. The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant
B112	The Applicant must recommend corrective actions for the identified safety issues and propose appropriate traffic management measures outlined in the Road Safety Audit (i.e. temporary traffic signals and other traffic management measures) in consultation and with the approval of the relevant road authority. Details on the proposed traffic management measures must be submitted to the Planning Secretary, TfNSW and RMS.	Prior to construction	Confirm recommendations are made with the approval of relevant road authority. Confirm proposed traffic management measures are submitted to Planning Secretary, TfNSW and RMS.	The Moorebank Avenue Heavy Vehicle Access - Design Road Safety Audit (RSA) (dated 16 July 2020) was prepared by ARRB. The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant
B112a	**Prior to occupation of any warehouse on the site, the Applicant must undertake a pre-opening Road Safety Audit for heavy vehicle movements associated with operation in and out of the development site via the operational access point to the site, and for motorists and construction vehicle movements along Moorebank Avenue. The Road Safety Audit must be prepared by an independent TfNSW accredited road safety auditor in accordance with the relevant Austroads guidelines and TfNSW's Guidelines for Road Safety Audit Practices to identify any safety issues. The Road Safety Audit must consider road safety issues for the proposed operational access arrangements and affected vehicle movements.** ***Note: In accordance with condition B110A, the operational access point to the site is via the Chatham Avenue/Moorebank Avenue intersection, or any other alternative as agreed by Transport for NSW in writing.***	**Prior to occupation**	**Confirm Road Safety Audit (RSA) undertaken prior to the occupation of any warehouse.** **Confirm RSA undertaken by an independent TfNSW accredited road safety auditor in accordance with relevant guidelines.**	Not triggered for this reporting period.	Not Triggered
B112b	**Prior to occupation of any warehouse on the site, the Applicant must incorporate the corrective actions outlined in the pre-opening Road Safety Audit required under condition B112A in consultation with and with the prior approval of the relevant road authority. Details on the proposed corrective actions must be submitted to the Planning Secretary and TfNSW.**	**Prior to occupation**	**Confirm any corrective actions arising from RSA are made with the approval of the relevant road authority.** **Confirm details of corrective actions submitted to Planning Secretary and TfNSW.**	Not triggered for this reporting period.	Not Triggered
B112c	**The Road Safety Audit required by condition B112A is not required if the applicant has completed the Moorebank Avenue and Anzac Road intersection upgrades required under condition B84 prior to occupation of any warehouse on the site.**	**Prior to occupation**	**For reference.**	Not triggered for this reporting period.	Not Triggered
	Construction Traffic and Access Management Plan				
B113	Prior to commencement of construction, the Applicant must prepare a Construction Traffic and Access Plan (CTAMP) and submit it to the Planning Secretary for approval. The CTAMP must be prepared by a suitably qualified and experienced person(s) in consultation with Council, and must be endorsed by TfNSW and RMS.	Prior to construction	Confirm consultation with Council has been undertaken. Confirm endorsement from TfNSW and RMS prior to submission to Secretary for approval. Confirm Secretary approval prior to commencement of construction.	Construction Traffic and Access Management Plan, prepared by Arcadis (Revision I, dated 25 March 2020) was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant

B114	The CTAMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1, the CEMP must: (a) detail the measures that are to be implemented to ensure road safety and network efficiency during construction; (b) include a Heavy Vehicle Route Plan detailing: (I) origin of imported fill, (ii) destination of demolition material and spoil, NSW Government 20 Moorebank Intermodal Precinct West - Stage 2 Department of Planning and Environment (SSD 7709) (iii) heavy vehicle routes to and from the site within the Campbelltown and Liverpool Local Government Areas (LGAs), including compliance with the conditions of this consent including Condition B89, and (iv) management system for over sized vehicles; (c) access and parking arrangements; and (d) detail procedures for notifying residents and the community of any potential traffic	Prior to construction	Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval.	Construction Traffic and Access Management Plan, prepared by Arcadis (Revision I, dated 25 March 2020) was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant
B115	Two lanes (one in each direction) of traffic on Moorebank Avenue must be available at all times during construction, unless otherwise approved by RMS.	Construction	Confirm CEMP includes this provision.	This is addressed in Section 3.5 of the Construction Traffic and Access Management Plan, prepared by Arcadis (Revision I, dated 25 March 2020) was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant
B116	All construction vehicles must be contained wholly within the site and vehicles must enter the site before stopping.	Construction	Confirm CEMP includes this provision.	This is addressed in Section 3.5 of the Construction Traffic and Access Management Plan, prepared by Arcadis (Revision I, dated 25 March 2020) was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant
B117	All vehicles must enter and leave the site in a forward direction.	Construction	Confirm CEMP includes this provision.	This is addressed in Section 3.5 of the Construction Traffic and Access Management Plan, prepared by Arcadis (Revision I, dated 25 March 2020) was approved by DPE on 23 April 2020. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant
	Operational Traffic and Access Management Plan				
B118	Prior to commencement of operation, the Applicant must prepare an Operational Traffic and Access Management Plan (OTAMP) and submit it to the Planning Secretary for approval. The OTAMP must be prepared by a suitably qualified and experienced person(s) in consultation with Council(s), TfNSW and RMS.	Prior to operation	Confirm consultation with Council, TfNSW and RMS has been undertaken prior to submission to the Secretary for approval. Confirm Secretary approval prior to commencement of operation.	This compliance report relates to construction only.	Not Triggered
B119	The OTAMP must form part of the OEMP and, in addition to the general management plan requirements listed in Conditions C5 and C6, the OTAMP must: (a) detail numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation; (b) detail access arrangements for the site to ensure road and site safety, and demonstrate there will be no queuing on the road network; (c) detail measures to ensure turning areas and internal access roads are kept clear of any obstacles, including parked cars, at all times; and (d) set out a framework and procedures for data collection required to prepare the Biannual Trip Origin and Destination Report required under Condition B120 including a main gate monitoring system (e.g. CCTV) to identify heavy vehicles turning right from the terminal site onto Moorebank Avenue, or turning left from Moorebank Avenue to the terminal site.	Prior to operation	Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval.	This compliance report relates to construction only.	Not Triggered
	Biannual Trip Origin and Destination Report				

B120	Each six months following commencement of operation, the Applicant must prepare a Biannual Trip Origin and Destination Report (in a format agreed with TfNSW and RMS) that advises: (a) the total number of actual and standard twenty foot equivalent shipping containers despatched and received during the period; (b) the number of actual and standard twenty foot equivalent shipping containers transported to and from the site by rail during the period; (c) actual hours of operation for the truck gate listing days and hours of operation; (d) records of vehicle numbers accessing the site including a record of heavy vehicle entry by date and approximate time; (e) direction of travel into and out of the site for light vehicle on a representative day; and (f) representative vehicle origins and destinations of all classes of vehicles and covering the intermodal terminal, the warehousing facility and any other uses such as the freight village. A copy of the report required under Condition B120 is to be submitted to the Planning Secretary, TfNSW and RMS within one month of its preparation.	6 monthly during operations	Confirm Biannual Trip Origin and Destination Report is completed and cross checked against CoC B120 requirements. Confirm report is submitted to Secretary, TfNSW and RMS within one month of its preparation.	This compliance report relates to construction only.	Not Triggered
	Traffic Audit				
B120a	A Traffic Audit of the development must be undertaken within 90 days of each of the trigger events identified in B120B, by an independent qualified person(s) approved by the Planning Secretary prior to the commencement of the Traffic Audit. The Traffic Audit must include, but not necessarily be limited to: (a) verification of actual traffic movements against condition A15A; (b) assessment of the traffic performance of the project against the predictions made in EIS, RtS and consolidated assessment clarification responses; (c) consideration of the results of the traffic monitoring during a representative period nominated by the auditor; (d) review of compliance with the approved access routes and performance measures	Within 90 days of trigger events	Confirm engagement of a suitably qualified person approved by the Planning Secretary. Confirm the traffic audit completed in accordance with these requirements.	This compliance report relates to construction only.	Not Triggered
B120b	Traffic Audits under condition B120A are required to be undertaken within 90 days of the following trigger events: (a) the MPW Stage 2 daily heavy vehicle movements reaching 1,000 heavy vehicle movements for the first time, (b) annual container freight throughput on the MPW Stage 2 site reaching each of the following: 50,000 TEU, 250,000 TEU and 500,000 TEU,	Within 90 days of trigger events	For reference.	This compliance report relates to construction only.	Not Triggered
B120c	Within 28 days of conducting the Traffic Audit referred to under condition B120A of this consent, the Applicant must provide the Planning Secretary with a copy of the Traffic Audit report. If the Traffic Audit report identifies non-compliance with condition A15A, or with traffic predictions, approved access routes, or performance measures, the Applicant must detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Planning Secretary. Notwithstanding the above, nothing permits the Applicant to exceed the traffic movements specified in condition A15A at any time and any non-compliance with condition A15A is a breach	Within 28 days of conducting Traffic Audit	Confirm the provision of the traffic audit report to the Planning Secretary within the required timeframe. Confirm required additional detail provided where the audit identifies a non-compliance.	This compliance report relates to construction only.	Not Triggered
B120d	Following consideration of the outcomes of the Traffic Audit and the Traffic Audit report referred to under conditions B120A and B120C of this consent, the Planning Secretary may require the Applicant to implement additional traffic mitigation, monitoring or management measures to address traffic impacts associated with the project. The Planning Secretary may require any or all of the measures identified in the Traffic Audit report, or other measures considered appropriate by the Planning Secretary (including additional local area traffic management measures or on-site traffic management controls) to be implemented. The	Operation	For reference.	This compliance report relates to construction only.	Not Triggered
	Workplace Travel				
B121	Prior to the issue of any Occupation Certificate, the Applicant must prepare a specific Workplace Travel Plan and submit it to the Planning Secretary for information. The Workplace Travel Plan must be developed in consultation with TfNSW and outline facilities and measures to promote public transport usage, including: (a) peak period and shift work responsive express buses to/ from the site and Liverpool Station via Moorebank Avenue and Newbridge Roads with frequency dependent on the development of the site; (b) peak period express buses to/ from the site and Holsworthy rail station via Anzac Road,	Prior to issue of Occupation Certificate	Confirm consultation with TfNSW has occurred. Confirm submission of Workplace Travel Plan to Secretary.	This compliance report relates to construction only.	Not Triggered

B122	The Applicant must provide an annual report on employee numbers to the Department, TfNSW and RMS, commencing one year after commencement of operation of the IMT facility and for up to 5 years from occupation of the final warehouse building.	Commencing one year after commencement of operation of the IMT facility and for up to 5 years from occupation of the final warehouse building	Confirm submission of annual report to Department, TfNSW and RMS.	This compliance report relates to construction only.	Not Triggered
B123	The Applicant and each occupant/operator must implement the most recent version of the Workplace Travel Plan for the duration of the development.	At all times	Confirm each occupant/ operator receives a copy of the Workplace Travel Plan. Record correspondence to all occupants/operators that they are to implement the Workplace Travel Plan.	This compliance report relates to construction only.	Not Triggered
	Driver Code of Conduct				
B124	The Applicant must prepare and submit a Driver Code of Conduct to the Secretary which includes the following measures to minimise impacts: (a) adherence to specified transport routes, including no heavy vehicle access to and from Cambridge Avenue; (b) acceptable delivery hours; (c) no extended periods of engine idling; (d) avoiding queuing in or around the site; (e) compliance with site speed limits; (f) limiting the need for reversing on site; and (g) consideration of the use of 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.	Construction	Confirm Driver Code of Conduct review process includes a checklist against these requirements prior to submission to the Secretary for approval.	The Driver Code of Conduct is Appendix C of the Construction Traffic and Access Management Plan, prepared by Arcadis (Revision I, dated 25 March 2020) was approved by DPE on 23 April 2020. The revised Construction Traffic and Access Management Plan, prepared by Arcadis (Revision J, dated 22 March 2021) was approved by DPE on 21 May 2021. The combined MPW Stage 2 and Stage 3 CTAMP (Rev M, dated 14 September 2021) is currently being implemented on site and was approved on 24 September 2021.	Compliant
	Construction Hours of Work				
B125	The Applicant must comply with the hours detailed in Table 2.	Construction	Confirm working hours are included in CEMP. Confirm inclusion of working hours in inductions and toolbox talks. Periodic review of actual start and finish times.	Working hours are included in the CEMP (rev J) dated 14 January 2020, approved by DPE 23 January 2020. The combined MPW Stage 2 and Stage 3 CEMP (rev Q, 2 December 2021) is currently being implemented on site and was approved by DPIE on 18 March 2022. Working hours are also included in the Construction Noise and Vibration Management Plan, prepared by Renzo Tonin & Associates (Revision 7, dated 29 January 2020), was approved by DPE on 7 February 2020. The combined MPW Stage 2 and Stage 3 CNVMP (Revision 16b, dated 17 December 2021) is currently being implemented on site and was approved on 18 March 2022. Working hours are communicated to the workforce in site inductions. On the 17 November 2022 a non-compliance was issued to DPE following the receipt of a complaint regarding helicopter works which had run overtime. DPE issued a warning letter in response to the non-compliance on the 9/12/2022.	Non-Compliant

B126	Except as permitted by an EPLI, activities resulting in highly noise intensive works (including impulsive or tonal noise emissions) must 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. Note 1: 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 that is the subject of this condition. Note 2: Section 4.42(1)(e) of the EP&A Act requires that an EPL be substantially consistent with this approval. Out-of-hours works considered under Condition B127 must be justified and include an assessment of mitigation measures.	Construction	*See B125	Highly noise-intensive working hours are included in the Construction Noise and Vibration Management Plan, prepared by Renzo Tonin & Associates (Revision 7, dated 29 January 2020), which was approved by DPE on 7 February 2020. The combined MPW Stage 2 and Stage 3 CNVMP (Revision 16b, dated 17 December 2021) is currently being implemented on site and was approved on 18 March 2022.	Compliant
B127	Construction outside of the hours identified in Condition B125 may be undertaken in any of the following circumstances: (a) works that are inaudible at the nearest sensitive receivers; (b) where a negotiated agreement has been arranged with affected receivers; (c) works agreed to in writing by the Planning Secretary; (d) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; (e) **works associated with**: **i. the Moorebank Avenue/ Anzac Road upgrade, the delivery of the raillink connection and works required to be undertaken during rail corridor possession** where they are undertaken in accordance with an Out-of-Hours Work Protocol under Condition B135; or **ii. any other construction works on the site where they are undertaken Out-of Hours must be in accordance with the approved Out-of-Hours Work Protocol (OOWP) required under condition B135.**	Construction	*See B125	There were ten OOHW during the reporting period; - OOHW10-2/07/2022-Installation of Road Barriers - Bapaume - OOHW11-8/08/2022-Service investigation relocation/installation and commissiong (Bapaume Road) - OOHW12-10/09/2022-MAAI Service investigation, relocation/installation and commissioning - OOHW13-12/11/2022-Rail Shutdown Possession - rail deliveries, loading and unloading - OOHW14-22/09/2022-Works on a short notice declared public holiday - OOHW15-9/10/2022-Compound power supply connections - OOHW16-10/10/2022-Bapaume, MBK, ANZAC Service investigation, relocation/installation and commissioning - OOHW17-11/11/2022-Bapaume ABB Upgrade - OOHW19 (Martinus 003) -29/09/2022-ISRA and INTS-Overhead electrical cables installation and connection site office - OOHW20 - 19/09/2022- After Hours Oversize Delivery.	Compliant
B128	Blasting is not permitted on the site.	Construction	*See B125	No blasting activities are proposed.	Not Triggered
	Noise Wall				
B129	Prior to the commencement of operation of any part of the development, the Applicant must construct a 5 m high noise wall along the entire length of the western internal road as shown in Appendix 1 (as detailed in the EIS and RtS Noise and Vibration Impact Assessment modelling).	Prior to operation	Confirm operation commencement date. Confirm noise wall in place prior to any operation.	Erection of the noise wall has been completed, screening vegetation remains ongoing.	Compliant
	Hours of Operation				
B130	The permitted hours of operation are detailed in Table 3.	Operation	Confirm working hours are included in OEMP. Confirm inclusion of working hours in inductions and toolbox talks. Periodic review of actual start and finish times.	This compliance report relates to construction only.	Not Triggered
	Intermodal Terminal Operational Noise Limits				
B131	The ~~Applicant must ensure that the~~ noise generated by the **development must not exceed the noise limits in Table 4 which are generated by the** overall precinct operations (defined as all activities approved for MPW and MPE). ~~does not exceed the noise limits in Table 4.~~	Operation	Confirm noise monitoring in included in the OEMP.	This compliance report relates to construction only.	Not Triggered
	Operation of Rail terminal, Locomotives and Wagons				

B132	Terminal and rail port shuttle operations must comply with the following: (a) best practice plant for the intermodal terminal facility, including electronic automated container handling equipment or equipment with equivalent sound power levels; (b) locomotives using the development must meet the air emissions standards and noise requirements as specified in the Moorebank Precinct East – Stage 1 Project: Best Practice Review (SSD 12_6766), prepared by Arcadis dated 19 September 2017); (c) wagons using the development must 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 permanently coupled 'multi-pack' steering wagons using Electronically Controlled Pneumatic (ECP) braking with a wire based distributed power system (or better practice technology); (d) automatic rail lubrication equipment must be used in accordance with ASA Standard T HR TR 00111 ST Rail Lubrication and top of rail friction modifiers, where required; and (e) the rail cross sectional profile must be 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.	Operation	Confirm review process includes a checklist against these requirements prior to operation commencing.	This compliance report relates to construction only.	Not Triggered
B133	For all terminal and rail operations, a monitoring and performance management regime is to be established in accordance with the conditions of this consent, including but not limited to the requirements of conditions B140-B143, with the objective of ensuring there is no deterioration in noise performance and continual improvement in rail noise outcomes from rail operations throughout the life of the development.	Operation	Confirm inclusion of site noise monitoring in OEMP. Review complaints register and incident register.	This compliance report relates to construction only.	Not Triggered
	Construction Noise and Vibration Management Plan				
B134	Prior to commencement of construction, the Applicant must prepare a Construction Noise and Vibration Management Plan (CNVMP) and submit it to the Planning Secretary for approval. The CNVMP must be consistent with the guidelines contained in the ICNG (DECC, 2009).	Construction	Review consistency of CNVMP against the guidelines contained in the ICNG (DECC, 2009) prior to submission to the Secretary for approval. Confirm Secretary approval prior to commencement of construction.	The Construction Noise and Vibration Management Plan, prepared by Renzo Tonin & Associates (Revision 7, dated 29 January 2020), was approved by DPE on 7 February 2020. The combined MPW Stage 2 and Stage 3 CNVMP (Revision 16b, dated 17 December 2021) is currently being implemented on site and was approved on 18 March 2022.	Compliant
B135	The CNVMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1, the CNVMP must include: (a) identification of the work areas, site compounds and internal access routes; (b) identification of the type and number of plant and equipment expected on site at the same time; (c) details of construction activities and a construction program, including the identification of key noise and/ or vibration generating construction activities (based on representative construction scenarios) that have the potential to generate noise and/ or vibration impacts on surrounding sensitive receivers, particularly residential areas; (d) identification of sensitive receivers (including heritage structures if relevant) and relevant construction noise management levels (NMLs) using the ICNG, vibration criteria using the Assessing Vibration: a Technical Guide (DECC 2006) (for human exposure) and vibration limits set out in the German Standard DIN 4150-3: Structural Vibration effects of vibration on structures (for structural damage); (e) Identification of any construction activities predicted to exceed NMLs; Note: The ICNG identifies 'particularly annoying' activities that require the addition of 5dB(A) to the predicted level before comparing to the construction NML. (f) identification of feasible and reasonable measures to be implemented to minimise and manage construction noise impacts, including, but not limited to, acoustic enclosures, erection of noise walls (hoardings), respite periods; and (g) an Out-of-hours Work Protocol for the assessment, management and approval of works outside of the hours identified in Condition B125. The Out-of-hours Work Protocol must include: (I) detail an assessment of out-of-hours works against the relevant NMLs and vibration criteria, (ii) provide detailed mitigation measures for any residual impacts (that is, additional to general mitigation measures), including extent of at-receiver treatments, and (iii) include proposed notification arrangements.	Construction	Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval.	The Construction Noise and Vibration Management Plan, prepared by Renzo Tonin & Associates (Revision 7, dated 29 January 2020), was approved by DPE on 7 February 2020. The combined MPW Stage 2 and Stage 3 CNVMP (Revision 16b, dated 17 December 2021) is currently being implemented on site and was approved on 18 March 2022.	Compliant
	Operational Noise Management Plan				

B136	Prior to commencement of operation, the Applicant must prepare an Operational Noise Management Plan (ONMP) and submit it to the Planning Secretary for approval. The ONMP must be prepared by a suitably qualified and experienced person(s).	Operation	Confirm Secretary approval prior to commencement of operation.	Not triggered for this reporting period.	Not Triggered
B137	The ONMP must for part of the OEMP and, in addition to the general management plan requirements listed in Conditions C5 and C6, the ONMP must include monitoring and reporting as required under Conditions B139, B140 and B141.	Operation	Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval.	Not triggered for this reporting period.	Not Triggered
	Mechanical Plant and Other Noisy Equipment Monitoring				
B138	Prior to construction of the freight terminal, freight village and each warehouse, the Applicant must submit to the Secretary a Noise Assessment for Mechanical Plant and other noisy equipment to demonstrate that plant and equipment has been selected to meet the overall noise limits specified in Table 4.	Prior to construction of the freight terminal, freight village and each warehouse.	Confirm submission of Noise Assessment for Mechanical Plant and other noisy equipment to Secretary.	Woolworths Moorebank National Distribution Centre, Moorebank - Acoustic Certification of Condition B138 of SSD 7709, prepared by Renzo Tonin & Associates, dated 22 September 2021. Woolworths Moorebank Regional Distribution Centre, Moorebank - Acoustic Certification of Condition B138 of SSD 7709, prepared by Renzo Tonin & Associates, dated 20 December 2021.	Compliant
B139	The Applicant must carry out noise monitoring of mechanical plant and other noisy equipment for a minimum period of one week where valid data is collected following operation/ occupation of the freight terminal, freight village and each warehouse. The monitoring program must be carried out by a suitably qualified and experienced person(s) and a Monitoring Report for Mechanical Plant must be submitted to the Planning Secretary within two months of operation of the freight terminal and occupation of each tenancy to verify predicted mechanical plant and equipment noise levels.	Within 2 months of commencement of operation	Confirm suitably qualified and experienced person available to complete monitoring. Confirm submission of Monitoring Report for Mechanical Plant to Secretary within 2 months of operation commencing.	This compliance report relates to construction only.	Not Triggered
	Site Noise Monitoring and Reporting				
B140	Within 12 months of operation of the intermodal terminal facility; occupation of the first warehouse, 50% occupation of the site and 100% occupation of the site, or as otherwise agreed by the Planning Secretary, the Applicant must undertake Operational Noise Monitoring to compare actual noise performance of the project against predicted noise performance and prepare an Operational Noise Report to document this monitoring. The Report must include, but not necessarily be limited to: (a) noise monitoring to assess compliance with the predicted operational noise levels and the noise limits specified in Table 4; b) a validation by predictive modelling of the operational noise levels in terms of criteria and noise goals established in the Road Noise Policy (RNP, EPA, 2001); (c) sleep disturbance impacts compared to those determined in documents specified under Condition A3; (d) impacts associated with annoying characteristics such as prominent tonal components, impulsiveness, intermittency, irregularity and dominant low-frequency content; (e) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which project noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers; (f) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and heavy vehicle 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; (h) identification of additional measures to those predicted in the documents specified under Condition A3, that would be implemented with the objective of meeting the criteria outlined in the RNP and NPI (EPA, 2017), including timing of implementation;	Within 12 months of commencement of operation	Confirm implementation of operational noise monitoring as per the approved Program (B139) and development of Report to include these requirements. Regular compliance inspections / reporting.	This compliance report relates to construction only.	Not Triggered

	(l) 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; and (j) procedures for the management of operational noise and vibration complaints. The Operational Noise Report is to be verified by a suitably qualified and experienced noise and vibration expert. The Operational Noise Report must be submitted to the Planning Secretary and the EPA within 60 days of completing the operational noise monitoring referred to in (a) above or as otherwise agreed by the Planning Secretary.			This compliance report relates to construction only.	Not Triggered
B140A	The Applicant is to conduct noise impact monitoring and residual noise impact mitigation in accordance with the following requirements: (a) the Applicant is to engage a Suitably Qualified and Experienced Acoustic Engineer to undertake a noise survey at R1 No. 9 Casula Road, Casula (or an equivalent location if access is denied). Evidence of access being sought and access being denied must be provided to the Planning Secretary before surveying is undertaken at an equivalent location; (b) the noise survey must be undertaken not less than three months and not more than six months from commencement of operation; (c) the noise survey is to be conducted in accordance with the Noise Policy for Industry ((NPfI) EPA 2017) to determine:	Operation	Confirm noise monitoring undertaken within prescribed timeframes. Confirm reporting submitted to relevant stakeholder within prescribed timeframes. Regular compliance checks / reports.	This compliance report relates to construction only.	Not Triggered
	Rail Noise Monitoring and Reporting				
B141	The Applicant must 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 must 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 the 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 Planning Secretary. The results from the noise monitoring system, must be publicly accessible from a website maintained by the Applicant. The noise results from each train must be available as live data on the website, unless unforeseen circumstances (i.e. a system malfunction) have occurred. The LAeq(15hour) and LAeq(9hr) results from each day must be available on the website within 1 hour of the period ending.	Operation	Confirm installation and maintenance of rail noise monitoring system to include these requirements. Confirm noise monitoring results / live data are made available on website within set timeframes. Regular compliance checks / reports.	This compliance report relates to construction only.	Not Triggered
B142	Prior to the commencement of operation, the Applicant must submit to the Planning Secretary for approval, 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 noise monitoring location(s) must be west of the MPW Stage 2 connection to the rail link constructed under MPE Stage 1.	Prior to operation	Confirm submission to Planning Secretary. Confirm Noise and Vibration Management Plan review process includes checklist for noise monitoring locations.	This compliance report relates to construction only.	Not Triggered
B143	From the commencement of operation, the Applicant must provide an annual Rail Noise Monitoring Report to the Planning Secretary for a period of 5 years, or as otherwise agreed with the Planning Secretary. The Planning Secretary shall consider the need for further reporting following a review of the results for year 5. Note: the above rail noise monitoring and reporting conditions may be satisfied by the implementation of relevant monitoring and reporting conditions under the MPE Stage 1 consent.	Operation	Confirm annual submission of Rail Noise Monitoring Report to Planning Secretary.	This compliance report relates to construction only.	Not Triggered
	Aboriginal Sites				
B144	A Salvage Strategy must be developed in consultation with OEH and with relevant Registered Aboriginal Parties prior to any impacts on Aboriginal objects and sites.	Prior to Construction	Confirm Salvage Strategy has been developed.	The Aboriginal Cultural Heritage Salvage Strategy, prepared by Artefact Heritage (Revision 15, dated 21 January 2020) has been prepared in consultation with RAPs and OEH, and was submitted to DPE for information on 17 January 2020.	Compliant
B145	The scar tree portions of Aboriginal sites MA6 & MA7 are to be removed by a qualified arborist and relocated to a suitable area identified in consultation with Registered Aboriginal Parties.	Prior to Construction	Confirm engagement of qualified arborist and removal of scar trees in consultation with RAPs.	The Care Agreement, prepared by Heritage NSW, identifies the process that was executed for the removal and storage of the scar tree portions and the consultation undertaken, as well as the long term storage.	Compliant

B146	Staged salvage excavation of selected areas should be conducted in consultation with Registered Aboriginal Parties. These stages include: (a) dispersed pits placed along transects within the Terrace PAD and the tertiary terrace (between MA10 and MA14 – refer to Figure 16-2 of the EIS); and (b) open area salvage excavation, targeting the artefact concentrations at MA10 and MA14, as well as any additional artefact concentrations identified during (a) above.	Construction	Confirm staged salvage excavation conducted in consultation with RAPs and includes these requirements.	The Aboriginal Cultural Heritage Salvage Strategy, prepared by Artefact Heritage (Revision 15, dated 21 January 2020) has been prepared in consultation with RAPs and OEH, and was submitted to DPE for information on 17 January 2020.	Compliant
B147	Following completion of salvage, the Applicant must prepare an Aboriginal Cultural Heritage Salvage Report (ACHSR) in accordance with any guidelines and standards or OEH requirements. The report must include details of any archival recording, further archaeological research either undertaken or to be carried out, and archaeological excavations (with artefact analysis and identification of a final repository for finds) and be submitted to the Planning Secretary, OEH, relevant Council(s) and Registered Aboriginal Parties, where relevant, for information within 12 months after the completion of salvage works.	Construction	Confirm Aboriginal Cultural Heritage Salvage Report has been prepared. Confirm review process includes checklist against guidelines, standards or OEH requirements. Confirm submission to Planning Secretary, OEH, relevant Council(s) and Registered Aboriginal Parties within timeframe.	Not triggered for this reporting period.	Not Triggered
	Aboriginal Items or Objects				
B148	If any Aboriginal object of Aboriginal place is identified on site, or suspected to be on site (other than those identified in the EIS): (a) all work in the immediate vicinity of the object or place must cease immediately; (b) a 10 m wide buffer area around the object or place must be cordoned off; and (c) OEH must be contacted immediately.	Construction	Confirm inclusion of the unexpected finds protocol as part of the approved ACHMSP. Confirm content inclusion in training, induction and pre-work start-ups or toolbox talks. Review incident register.	The Aboriginal heritage unexpected finds protocol is located in Appendix D of the CEMP (rev J) dated 14 January 2020, approved by DPE on 23 January 2020. The combined MPW Stage 2 and Stage 3 CEMP (rev Q, 2 December 2021) is currently being implemented on site and was approved by DPE on 18 March 2022. There were no Aboriginal heritage unexpected finds at the site during the reporting period.	Not Triggered
B149	Work in the immediate vicinity may only recommence if: (a) the object or place is confirmed by OEH upon consultation with the Registered Aboriginal Parties, not to be an Aboriginal object or Aboriginal place; or (b) an Aboriginal Cultural Heritage Management Plan is prepared in consultation with the Registered Aboriginal Parties and OEH to include the object or place and appropriate measures in respect of it, and the Plan is approved by the Planning Secretary; or (c) OEH is satisfied as to the measures to be implemented in respect of the object or place and makes a written direction in that regard.	Construction	Where triggered, confirm written approval from OEH has been obtained.	There were no Aboriginal heritage unexpected finds at the site during the reporting period.	Not Triggered
	Non Indigenous Heritage				
B150	If any unexpected archaeological relics are uncovered: (a) all work in the immediate vicinity of the find must cease immediately; (b) OEH Heritage Division must be notified; (c) a suitably qualified and experienced archaeologist (e.g. project archaeologist) must record and assess the significance of the find with the results reported to the Planning Secretary, OEH Heritage Division, Council and the local Historical Society; and (d) where required, a Management Strategy is to be developed and implemented in consultation with the OEH Heritage Division.	Construction	Confirm inclusion of the unexpected finds protocol as part of the approved ACHMSP. Confirm content inclusion in training, induction and pre-work start-ups or toolbox talks. Review incident register.	There were no non-indigenous heritage unexpected finds at the site during the reporting period. The non-indigenous heritage unexpected finds protocol is located in Appendix D of the CEMP (rev J) dated 14 January 2020, approved by DPE 23 January 2020. The combined MPW S2/S3 CEMP (rev P, 10 August 2021) is currently being implemented on site and was approved by DPE on 24 September 2021.	Not Triggered
B151	Work in the immediate vicinity of the find may only recommence on the advice of the project archaeologist.	Construction	Where triggered, confirm written approval from project archaeologist has been obtained.	There were no non-indigenous heritage unexpected finds at the site during the reporting period.	Not Triggered
	Biodiversity				

B152	Prior to clearing of native vegetation, a Koala Management Plan (KMP) must be prepared by a suitably qualified person in consultation with OEH and be submitted to the Planning Secretary for approval. The KMP must: (a) make reference to A review of koala tree use across New South Wales (OEH 2018); (b) identify habitat corridors, of adequate dimensions to provide an adequate Koala habitat corridor as supported by a Koala specialist, to provide connectivity both within the Intermodal Precinct area and with other core koala habitat areas (i.e. to the south and to the west along Georges River); (c) include commitment to retain Koala use trees on site in line with phased earthworks (see e.g. Condition B40); (d) include details of structures to eliminate barriers to movement (presented by fences, roads, drainage culverts or pits, rail lines and the like) for koalas and other native fauna likely to use the site or habitat corridor; (e) include details on koala habitat rehabilitation/ restoration within the identified habitat	Prior to clearing native vegetation	Confirm Office of Environment and Heritage (OEH) consulted during KMP development. Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval.	Koala Management Plan, prepared by Cumberland Ecology (Version 3, dated 12 March 2020), was approved by DPE on 4 May 2020.	Compliant
	Construction Flora and Fauna Management				
B153	The Applicant must: (a) ensure that no more than 42.89 hectares of native vegetation is cleared for the development; and (b) before any work commences, install and maintain exclusion fencing along the riparian corridor and around any native vegetation not being removed as part of the development.	Construction	Confirm development of KMP by suitably qualified person and provide evidence of qualifications and experience. Confirm OEH consulted during KMP development. Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval.	Contractor aerial image tracking confirms that total amount of clearing for the development has not exceeded 42.89ha. Construction Flora and Fauna Management Plan, prepared by Arcadis (Revision K, dated 10 March 2020), was approved by DPE on 23 March 2020. The revised CFFMP (Revision M, dated 17 March 2021), was approved by DPE on 21 May 2021.	Compliant
B154	Prior to clearing of native vegetation, the Applicant must prepare a Construction Flora and Fauna Management Plan (CFFMP) and submit it to the Planning Secretary for approval. The CFFMP must be developed in consultation with OEH.	Prior to clearing native vegetation	Confirm OEH consulted during CFFMP development. Confirm Secretary approval prior to clearing native vegetation.	Construction Flora and Fauna Management Plan, prepared by Arcadis (Revision K, dated 10 March 2020), was approved by DPE on 23 March 2020. The revised CFFMP (Revision N, dated 2 December 2021), was approved by DPE on 18 March 2022.	Compliant
B155	The CFFMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1, the CFFMP must include the following: (a) measures to minimise the loss of key fauna habitat including tree hollows and koala feed trees; (b) measures to minimise the impacts on fauna on site; and (c) measures to ensure biodiversity values not intended to be impacted are protected including mapping of protected/ 'no-go' areas. Note: A version of the CFFMP is to be submitted prior to any clearing required to conduct remediation. In accordance with the definition of construction, that version of the CFFMP can be prepared and submitted for approval as a standalone document prior to any clearing required to conduct remediation, and a full CEMP does not need to be submitted at that point in time.	Construction	Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval.	Construction Flora and Fauna Management Plan, prepared by Arcadis (Revision K, dated 10 March 2020), was approved by DPE on 23 March 2020. The revised CFFMP (Revision N, dated 2 December 2021), was approved by DPE on 18 March 2022.	Compliant
B156	Prior to removing/ clearing any vegetation or any demolition, pre-clearing surveys and inspections for threatened species, populations and ecological communities must be undertaken. The surveys and inspections, and any subsequent relocation of species and associated management measures, must be undertaken under the guidance of a suitably qualified and experienced ecologist.	Prior to construction	Confirm undertaking of pre-clearing surveys and inspections under guidance of suitably qualified and experienced ecologist.	Clearing protocol is located in Appendix B of the Construction Flora and Fauna Management Plan, prepared by Arcadis (Revision K, dated 10 March 2020), was approved by DPE on 23 March 2020. The revised CFFMP (Revision N, dated 2 December 2021), was approved by DPE on 18 March 2022.	Compliant
B157	Prior to any impact on the species to be offset, the Applicant must retire biodiversity credits specified in Table 5 and Table 6. The retirement of credits must be carried out in accordance with the NSW Biodiversity Offsets Policy for Major Projects (OEH 2014).	Prior to construction	Confirm retirement of biodiversity credits in Table 5 and 6 prior to any impact on species to be offset, in accordance with OEH policy.	All credits required for impacts under the MPW Stage 2 Development Consent have been retired. MPW Stage 2: Biobanking credit retirement memorandum, prepared by Arcadis (dated 11 December 2019), was issued to DPE on 13 December 2019.	Compliant

B158	The Applicant: (a) may elect to retire biodiversity credits in conjunction with the retirement of biodiversity credits for other developments on the MPE or MPW developments, prior to the commencement of construction of this development, provided it is not inconsistent with Condition B157; and (b) is not required to retire credits for biodiversity impacts that it has already offset under another development consent, pending the provision of evidence of what credits were retired to offset which development.	At all times	For reference.	All credits required for impacts under the MPW Stage 2 Development Consent have been retired. MPW Stage 2: Biobanking credit retirement memorandum, prepared by Arcadis (dated 11 December 2019), was issued to DPE on 13 December 2019.	Compliant
B159	If any native flora or fauna is identified on site that has not been previously identified in the documents listed in Condition A3: (a) work must cease in the vicinity; (b) a buffer zone must be established in consultation with the project ecologist; (c) OEH must be notified; (d) appropriate mitigation measures must be determined in consultation with OEH (including relevant re-location measures); and (e) ecological monitoring and/ or biodiversity offset requirements must be updated, where required.	Construction	Confirm cessation of works where native flora and fauna listed in Condition A3 is found, and requirements implemented. Confirm consultation with Ecologist and notification of OEH where required. Regular inspections / compliance reporting.	No new native flora and fauna has been identified during the reporting period. The Construction Flora and Fauna Management Plan, prepared by Arcadis (Revision K, dated 10 March 2020), was approved by DPE on 23 March 2020. The revised CFFMP (Revision N, dated 2 December 2021), was approved by DPE on 18 March 2022.	Not Triggered
	Operational Flora and Fauna Management				
B160	Prior to commencement of operation an Operational Flora and Fauna Management Plan (OFFMP) must be prepared by a suitably qualified person in consultation with OEH and be submitted to the Planning Secretary for approval. The OFFMP must include: (a) monitoring, management and maintenance procedures for koala habitat corridors; and (b) management and maintenance of other measures and site operations to minimise the risk of harm to koalas and other native fauna.	Prior to operation	Confirm environmental management plan review process includes a checklist against these requirements. Confirm OEH consulted during OFFMP development. Confirm Secretary approval prior to operations commencing.	Not triggered for the reporting period.	Not Triggered
	Site Auditor				
B161	Prior to the commencement of any works, the Applicant must engage a Site Auditor accredited under the Contaminated Land Management Act 1997 NSW Site Auditor Scheme.	Prior to construction	Confirm engagement of accredited Site Auditor.	Site Auditor for MPW Stage 1 Early Works (SSD 5506) continues to be engaged for MPW Stage 2.	Compliant
	Per- and Polyfluoroalkyl Substances (PFAS) Contamination				
B162	Prior to construction, the Applicant must provide the EPA with a copy of all reports to date relating to the assessment of per- and poly-fluoroalkyl substances (PFAS) undertaken for the development and in relation to contamination from the development.	Prior to construction	Confirm submission of repots to EPA.	The reports required by the condition were provided to the EPA via email, by Tactical Group on behalf of Qube, on 2 November 2020.	Compliant
B163	Should the Applicant identify a potential risk to off-site receptors due to PFAS contamination, the Applicant must contact the EPA as soon as practicable to discuss requirements for community consultation.	Prior to construction/ Construction	Confirm EPA contacted where PFAS offsite risks identified. Confirm community consultation if required.	No offsite PFAS contamination risk identified during the reporting period.	Not Triggered
B164	Prior to vegetation clearing: (a)the Applicant must identify contamination within vegetated areas and prepare options for remediation in those areas, with the objectives to: (I)retain vegetation to the greatest extent possible beyond the completion of remediation; (ii)minimise land disturbance in accordance with Condition B41; and (iii)not reduce the ability to provide connectivity and habitat corridors in accordance with Conditions B2 and B152; (b)where remediation requires prior vegetation clearing, an appropriate assessment of the impact of clearing on contaminated land must be prepared by a suitably qualified and experienced consultant; and (c)where contamination is identified as occurring within those areas where vegetation is proposed to be cleared, a Contamination Management Plan must be prepared in consultation with the Site Auditor detailing the location and nature of the contamination and the proposed remediation and/ or management measures that will be undertaken to address the on-site and potential off-site impacts.	Prior to vegetation clearing	Confirm contamination assessment / Contamination Management Plan completed prior to vegetation clearing / remediation. Confirm Contamination Management Plan prepared in consultation with Site Auditor and meets these requirements.	The Contamination Management Plan (CMP), prepared by EP Risk (Version 11, dated 30 July 2020) was approved by DPE on 23 October 2020.	Compliant

B165	A copy of the assessment required by Condition B164 above and any associated update of the CEMP required must be provided to the Planning Secretary for approval one month before commencement of vegetation clearing. Evidence of consultation with the Site Auditor must be included.	1 month prior to vegetation clearing	Confirm submission of assessment and CEMP updates to Planning Secretary including these requirements..	The assessment required by CoC B164(b) was submitted to DPE as part of the CMP on 28 July 2020 and included evidence of consultation with the Site Auditor. The Contamination Management Plan (CMP), prepared by EP Risk (Version 11, dated 30 July 2020) was approved by DPE on 23 October 2020.	Compliant
	Remediation				
B166	Following vegetation clearing and prior to the commencement of other construction activities, the Applicant must complete remediation of the site in accordance with any relevant Remediation Action Plan (RAP) to the satisfaction of the Planning Secretary. The RAP must include options to remediate and/or manage PFAS impacted areas across the site, including the conservation area. The RAP must be submitted to the accredited site auditor and the NSW EPA for comment prior to implementation. If any amendments are required to the RAP, the amendments must be approved by an EPA accredited Site Auditor.	Prior to other construction works (other than vegetation clearing)	Confirm completion of RAP recommendations. Confirm RAP review process includes checklist against these requirements. Confirm amendments are approved by EPA accredited Site Auditor.	Not required - supporting correspondence from DPE: SSD-7709-PA-56, dated 24 March 2021.	Not Triggered
	Validation Report				
B167	The Applicant must prepare a Validation Report for the Stage 1 development. The Validation Report must: (a)be reviewed by an EPA accredited Site Auditor; (b)be prepared in accordance with the RAP and the Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (OEH, 2011); (c)include, but not be limited to: (I)comment on the extent and nature of the remediation undertaken, (ii)describe the location, nature and extent of any remaining contamination on site, (iii)sampling and analysis plan and sampling methodology, (iv)details of the volume of treated material emplaced within any remaining containment cell, (v)results of any validation sampling, compared to relevant guidelines/ criteria, and (vi)discussion of the suitability of the remediated areas for the intended future land uses described under SSD 5066 and SSD 7709 – Stage 2 (including for the raised landform and imported fill characteristics and the drainage outlet structures in the riparian corridor).	Prior to construction	Confirm preparation of Validation Report. Confirm review process includes checklist against these requirements.	Land Preparation Work - Demolition and Remediation - Moorebank Intermodal Company Property West Remediation Validation Report (rev 1, dated 22 July 2020), prepared by JBS&G Australia, was provided to the Site Auditor on 24 July 2020. MPW Supplementary Validation Report (rev 0, dated 25 September 2020), prepared by JBS&G Australia, was provided to the Site Auditor on 11 September 2020. The Site Auditor's review of the validation reports is acknowledged in the site audit statements issued for the site and detailed in Condition B169.	Compliant
B168	A copy of the Validation Report must be provided to the Planning Secretary, EPA and the Certifying Authority prior to commencement of construction (other than the vegetation clearing required for remediation).	Prior to construction (other than vegetation clearing for remediation)	Confirm submission of report to Planning Secretary, EPA and Certifying Authority prior to construction.	Following review by the Site Auditor, the validation reports were submitted electronically to DPE on 20 November 2020, to the EPA via email on 23 November 2020, and to the Certifying Authority via email on 24 November 2020.	Compliant
	Site Audit Statements				
B169	Upon completion of the remediation required in relation to Stage 1 (SSD 5066) and this development and prior to the commencement of construction (other than the vegetation clearing required for remediation) in relation to this approval (i.e. Stage 2 SSD 7709), the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement A for the whole site, prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017, which demonstrates the site is suitable for its intended land uses under Stage 2 SSD 7709 including for the: (a)importation and placement of fill, (b)construction of a warehouse estate including warehouse buildings, (c)development of an intermodal terminal, and (d)protection of the conservation area including riparian corridor and biodiversity offset sites.	Prior to commencement of construction	Confirm submission of Site Audit Report and Site Audit Statement A to Planning Secretary. Confirm review process includes checklist against these requirements.	The Stage 1 Early Works (Land Preparation Works - Demolition and Remediation) Moorebank Precinct West Site Audit Statement, Site Audit Report and Site Audit Statement (SAS no. 0301-1613-7) were issued by the Site Auditor on 18 September 2020 and submitted to DPE on 26 October 2020. DPE responded with no comments on 11 November 2020. The Stage 2 Works - Completion of Remediation Pre-Construction (Condition B169 Audit) Moorebank Precinct West Site Audit Report and Site Audit Statement (SAS no. 0301-2014) were issued by the Site Auditor on 24 November 2020.	Compliant
B170	To ensure that no residual contaminated land on site is impacted by this approval, the requirements of Site Audit Statement A required by Condition B169 cannot be staged.	Construction	For reference.	Noted.	Not Triggered

B171	Upon completion of importation and placement of fill and prior to construction of permanent built surface works, the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement A for the whole site, prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017, which demonstrates the site is suitable for its intended land uses under MPW Stage 2 SSD 7709.	Prior to construction of permanent built surface works	Confirm submission of Site Audit Report and Site Audit Statement A to Planning Secretary. Confirm review process includes checklist against these requirements.	The site audit reports and statements required by this condition are being delivered in accordance with the *Request to stage a plan (A42): Requirement for provision of a Site Audit Statement and Site Audit Report under Condition B171 of SSD 7709 (MPW Stage 2)* (the Staging Report), prepared by Aspect Environmental (dated 28 April 2021), which was approved by DPE on 14 May 2021. The Parts of Proposed Lots 6, 7 and 12 Moorebank Intermodal and Logistics Park Site Audit Report and Site Audit Statement (SAS no. 0301-2020-1) were issued by the Site Auditor on 14 February 2021 for the JN and JR warehouses, in accordance with the Staging Report. A non- compliance against CoC B171 was identified by the previous CCR as works on the Western Ring Road (North) had commenced in advance of the site audit report and site audit statement (SAS) being issued for that area.The site audit report and site audit statement were finalised on 26 September 2022. Both documents were submitted to DPE on 27 September 2022.	Non-Compliant
	Long Term Environmental Management Plan				
B172	Where remediation outcomes for the site require long term environmental management, a suitably qualified and experienced person must prepare a Long Term Environmental Management Plan (LTEMP), to the satisfaction of the Site Auditor. The plan must: (a)be submitted to the Planning Secretary and EPA prior to commencement of construction (other than vegetation clearing); and (b)include, but not be limited to: (I)a description of the nature and location of any contamination remaining on site, (ii)provisions to manage and monitor any remaining contamination, including details of any restrictions placed on the land to prevent development over the containment cell, (iii)a description of the procedures for managing any leachate generated from the containment cell, including any requirements for testing, pumping, treatment and/ or disposal, (iv)a description of the procedures for monitoring the integrity of the containment cell, (v)a surface and groundwater monitoring program, (vi)mechanisms to report results to relevant agencies, (vii)triggers that would indicate if further remediation is required, and (viii)details of any contingency measures that the Applicant is to carry out to address any ongoing contamination.	Prior to construction (other than vegetation clearing)	Confirm environmental management plan review process includes a checklist against these requirements. Confirm Site Auditor satisfied with the LTEMP prior to construction commencing. Confirm submission to Secretary and EPA prior to construction commencing.	The Moorebank Precinct West Long-Term Environmental Management Plan (LTEMP) (v12, dated 27 October 2020) was prepared by EP Risk. Site Audit Interim Advice 06 - Review of Revised LTEMP for MPW, Moorebank Intermodal Terminal was issued by the Site Auditor on 18 November 2020 and confirms that the LTEMP has been prepared to the satisfaction of the Site Auditor. The LTEMP was submitted to DPE and the EPA for information on 24 November 2020. LTEMP rev 13 (dated 1 December 2020) is currently being implemented on site.	Compliant
B173	The LTEMP must be registered on the title to the land.	Prior to construction (other than vegetation clearing)	Confirm LTEMP is registered.	The Moorebank Precinct West Long-Term Environmental Management Plan (LTEMP) (v12, dated 27 October 2020) was prepared by EP Risk. The LTEMP was submitted to DPE and the EPA for information on 24 November 2020. LTEMP rev 13 (dated 1 December 2020) is currently being implemented on site. Section 1.4 of the LTEMP identifies the need for it to be registered to the title of the land.	Compliant
	Unexpected Ordnance				
B174	Unexpected Ordnance (UXO), Exploded Ordnance (EO) and Exploded Ordnance Waste (EOW) protocols must be prepared by an UXO contractor listed on the Defence Panel of suitably qualified UXO consultants and contractors.	Prior to Construction	Confirm UXO, EO and EOW protocols are prepared by an UXO contractor that meets the requirements.	Unexpected Ordnance (UXO), Exploded Ordnance (EO) and Exploded Ordnance Waste (EOW) protocols are provided as Appendix F of the approved CMP.	Compliant
	UNEXPECTED FINDS PROTOCOL				

B175	The CEMP required under Condition C2 must include an Unexpected Finds Protocol(s) for, but not limited to, contamination, ordnances, Aboriginal sites, non-indigenous heritage and flora and fauna.	Prior to Construction	Confirm CEMP includes Unexpected Finds Protocol(s).	Bonded ACM was located during the reporting period and was handled in accordance with the provisions of the Unexpected Finds Protocol. Unexpected Finds Protocol is Appendix D of the approved CEMP. The CEMP (rev L, 22 March 2021) was revised in accordance with SSD 7709-Mod-1 approval and approved by DPE on 21 May 2021. The combined MPW Stage 2 and Stage 3 CEMP (rev Q, 2 December 2021) is currently being implemented on site and was approved by DPE on 18 March 2022.	Compliant
	Hazards and Risks				
B176	The total quantities of dangerous goods present at any time within the development and transport movements to and from the development must be kept below the screening threshold quantities and movements listed in the Department's Hazardous and Offensive Development Guidelines Applying SEPP 33 (January 2011), **with the exception of dangerous goods storage for Warehouses JR and JN.**	Construction and Operation	Confirm these requirements stipulated in CEMP/OEMP. Confirm total quantities of dangerous goods kept below SEPP33 thresholds. Regular inspections / compliance reporting.	This condition is addressed in the CEMP (rev J) dated 14 January 2020, approved by DPE on 23 January 2020. Rev Q (2 December 2021) is currently being implemented on site) and was approved by DPE on 18 March 2022.	Compliant
B176a	**The storage of dangerous goods and combustible materials within Warehouses JR and JN must not exceed the maximum storage quantities listed in Table 7 at all times.**	**Operation**	**Confirm dangerous goods and combustible materials storage quantities are detailed in the OEMP.**	This compliance report relates to construction only.	Not Triggered
B176b	**Prior to the commencement of construction, the pre-construction studies set out below must be completed:** **(a) a Fire Safety Study for Warehouse JR and/or Warehouse JN, covering the relevant aspects of the Department's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines' and the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems. The study must be prepared in consultation with Fire and Rescue NSW.** **(b) a Final Hazards Analysis for Warehouse JR and/or Warehouse JN, consistent with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'.** **Construction of Warehouse JR or Warehouse JN, other than of preliminary works that are outside the scope of the hazards studies, must not commence until the relevant study recommendations for the subject warehouse have been considered and, where appropriate, acted upon. The studies must be submitted to the Planning Secretary no later than one month prior to the commencement of construction of relevant warehouse to which they apply (other than preliminary works), or within such further period as the Planning Secretary may agree.**	**Prior to Construction**	**Confirm Fire Safety Study and Fire Hazards Analysis prepared in accordance with these requirements.** **Confirm relevant study recommendations have been acted upon, as appropriate.** **Confirm submission to Planning Secretary.**	Fire Safety Study for JN and JR (Rev 2, 1 July 2021, Riskcon Engineering) was submitted to DPE on 6 July 2021. The JN and JR Fire Hazard Analysis (Rev 1, 19 November 2021) was prepared by Riskcon Engineering and submitted to DPE on 14 December 2021.	Compliant

B176c	**Prior to the commissioning of Warehouse JR and Warehouse JN (or prior to the commissioning of the relevant warehouse, should the development be staged), the pre-commissioning plans and systems set out below must be completed:** **(a) a comprehensive Emergency Plan and detailed emergency procedures for the safety of all people outside Warehouse JR and/or Warehouse JN, who may be at risk from the warehouse/s. The plan must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'.** **(b) a document setting out a comprehensive Safety Management System covering all on-site operations and associated transport activities involving hazardous materials for Warehouse JR and/or Warehouse JN. The document must clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures. The Safety Management System shall be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'. Records shall be kept on-site at all times and must be available for inspection by the Secretary upon request.** **Documentation must be submitted to the Planning Secretary no later than two months prior to the commencement of commissioning of the proposed development, or within such further period as the Planning Secretary may agree.**	**Prior to commissioning of Warehouse**	**Confirm Emergency Plan prepared in accordance with these requirements.** **Confirm Safety Management System prepared, implemented and retained on site in accordance with these requirements.** **Confirm submission to Planning Secretary within the required timeframe.**	This compliance report relates to construction only.	Not Triggered
B177d	**Twelve months after the commencement of operations of Warehouse JR and/or Warehouse JN, should the development be staged, and every five years thereafter, or at such intervals as Council may agree, a comprehensive Hazard Audit of the warehouse/s must be carried out and a report submitted to the Planning Secretary within one month of each audit. The audits must be carried out at the Applicant's expense by a qualified person or team, independent of the development, approved by the Planning Secretary prior to commencement of each audit. Hazard Audits must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'. The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the deferral of the implementation of a recommendation is intended, reasons must be documented.**	**12 months after the commencement of Operations**	**Confirm hazard audit requirements are included in the OEMP and Warehouse OEMPs.** **Confirm approval of auditor by Planning Secretary.** **Confirm hazard audits undertaken in accordance with the requirements.** **Records of implementation of any recommendations.**	This compliance report relates to construction only.	Not Triggered
B177e	**The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions B176B to B176D, within such time as the Planning Secretary may agree.**	**At all times**	**For reference.**	Noted.	Not Triggered
B177	The Applicant (the operator/ occupant of each premises) must store and handle all chemicals, fuels and oils, including Dangerous Goods as defined in the Australian Code for the Transport of Dangerous Goods by Road & Rail, in accordance with: (a)the requirements of all relevant Australian Standards; and (b)the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participant's Manual if the chemicals are liquids. In the event of an inconsistency between the requirements listed above in (a) and (b), the most stringent requirement must prevail to the extent of the inconsistency.	Operation	Ensure dangerous goods are stored and handled in accordance with these requirements. Incorporate requirements in relevant site environmental management documents.	This compliance report relates to construction only.	Not Triggered
B178	Fuel stored on the site must only be used for the purposes of refuelling IMT facility plant and equipment and locomotives.	Operation	Confirm fuel stored on site only used for refuelling IMT facility plant / equipment and locomotives. Confirm above requirements included in tenancy agreements /leases. Regular inspections / compliance reporting.	This compliance report relates to construction only.	Not Triggered
B179	Prior to the occupation of each premises and in each instance of occupation by a new occupant, a statement must be submitted to the Planning Secretary confirming that the premises will be operated so as to comply with the requirements of Conditions B176 and B177.	Operation	Confirm submission of statement to Planning Secretary.	This compliance report relates to construction only.	Not Triggered
	Waste Management				
B180	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.	Operation	Confirm assessment / classification of liquid and non-liquid waste to be taken off site in accordance with EPA guidelines.	This compliance report relates to construction only.	Not Triggered

B181	All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.	Operation	Confirm waste removed from site directed to licensed facilities.	This compliance report relates to construction only.	Compliant
B182	The Applicant must obtain agreement from Council for the design of the waste storage area for each warehouse where the waste collection service will be provided by Council.	Operation	Confirm agreement from Council has been obtained.	Not triggered for the reporting period.	Not Triggered
B183	The OEMP required under Condition C5 must include measures for waste management in accordance with the waste hierarchy set out in the EPA's NSW Waste Avoidance and Resource Recovery Strategy 2014-2021.	Operation	Confirm OEMP review process includes checklist against these requirements.	Not triggered for the reporting period.	Not Triggered
	CONSTRUCTION AND OPERATIONAL FACILITIES				
	Concrete Batching Plant				
B184	The concrete batching plants must comply with the following criteria: (a)have a total production capacity less than 150 tonnes per day or 30,000 tonnes per year; (b)only one concrete batching plant is to operate at any one time; and (c)the first concrete batching plant must be disassembled immediately following commencement of operation of the second concrete batching plant.	Construction	For reference. Currently no concrete batching plant proposed.	For reference. No concrete batching plant currently proposed.	Not Triggered
B185	The CEMP required under Condition C2 must include: (a)a drawing showing the location and layout of the two concrete batching plants including facilities for cementitious water treatment and connections to construction site water management and erosion and sediment control structures; (b)mitigation, monitoring and management procedures specific to the concrete batching plants that would be implemented to minimise environmental and amenity impacts during both facility establishment and operation; and (c)timeframes for establishment of each of the batching plants.	Construction	Confirm CEMP review process includes checklist against these requirements.	For reference. No concrete batching plant currently proposed.	Not Triggered
	Crushing Plant				
B186	The CEMP required under Condition C2 must include mitigation, monitoring and management procedures specific to the crushing plant that would be implemented to minimise environmental and amenity impacts.	Construction	Confirm CEMP review process includes checklist against these requirements.	The Construction Noise and Vibration Management Plan (CNVMP), prepared by Renzo Tonin & Associates (Revision 7, dated 29 January 2020), was approved by DPE on 7 February 2020. Revision 16b of the CNVMP (dated 12 December 2021) is currently being implemented on site and was approved on 18 March 2022. Sections 4.5 and 4.6 of the approved CNVMP outlined management and mitigation measures for crushing plant. Monitoring will be in accordance with Table 29 and Section 5.1.1 of the approved CNVMP.	Compliant
B187	The container wash down facility must: (a)include bunding to exclude wash area waste from the stormwater system; (b)be designed and operated to avoid overspray from foams, detergents, mud or fugitive emissions outside wash down bays; (c)include oily water separation, water treatment and recycling; and (d)comply with Sydney Water trade waste requirements for discharge to the sewer.	Operation	Confirm OEMP includes mitigations to minimise impacts from container wash down facility. Confirm environmental management review process includes these requirements. Regular inspections / compliance reporting.	This compliance report relates to construction only.	Not Triggered
	OPERATION OF PLANT AND EQUIPMENT				
B188	All plant and equipment used on site, or to monitor the performance of the development must be: (a)maintained in a proper and efficient condition; and (b)operated in a proper and efficient manner.	Operation	Confirm OEMP includes requirements for plant and equipment maintenance. Confirm environmental management review process includes these requirements. Regular inspections and copies of maintenance reports / compliance reporting.	This compliance report relates to construction only.	Not Triggered
	BUSHFIRE RISK MANAGEMENT				

B189	Bushfire asset protection zones must not be within the riparian corridor as defined in Condition B2 other than within areas greater than 40m from top of bank as determined in accordance with condition B2 where evidence is provided to the satisfaction of the Planning Secretary that riparian vegetation, and any trees over 3m in height, will be retained.	Construction and Operation	Confirm BRMP developed includes these requirements. Confirm environmental management review process	The updated Bushfire Risk Management Plan (Revision E, dated 17 March 2021) prepared by Arcadis, was approved by DPE on 21 May 2021.	Compliant
B190	The entire site must be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of the Planning for Bush Fire Protection (RFS, 2006) and the NSW Rural Fire Service's document Standards for asset protection zones.	Construction and Operation	Confirm BRMP developed includes these requirements. Confirm environmental management review process includes these requirements.	The updated Bushfire Risk Management Plan (Revision E, dated 17 March 2021) prepared by Arcadis, was approved by DPE on 21 May 2021.	Compliant
B191	An updated Bushfire Risk Management Plan must be prepared by a suitably qualified person(s) demonstrating that the bushfire asset protection zones can be contained wholly within the development area and that management of the inner protection zone will not impact on the proposed Biodiversity Offset Area. The Bushfire Risk Management Plan must be submitted to the Planning Secretary prior to construction of permanent built surface works.	Construction and Operation	Confirm Bushfire Risk Management Plan is prepared by suitably qualified person(s). Confirm submission of plan to Planning Secretary before this timeframe.	The updated Bushfire Risk Management Plan (Revision E, dated 17 March 2021) prepared by Arcadis, was approved by DPE on 21 May 2021.	Compliant
B192	Public road access must comply with section 4.1.3(1) of Planning for Bush Fire Protection (RFS, 2006) except for the requirement for through-access.	Construction and Operation	Confirm ERP developed includes these requirements. Confirm environmental management review process includes these requirements.	The updated Bushfire Risk Management Plan (Revision E, dated 17 March 2021) prepared by Arcadis, was approved by DPE on 21 May 2021. The updated Construction Emergency Response Plan, prepared by Arcadis (Revision F, dated 29 March 2021), was submitted to DPE for information on 6 April 2021.	Compliant
B193	The provision of water, electricity and gas must comply with section 4.1.3 of Planning for Bush Fire Protection (RFS, 2006).	Construction and Operation	Confirm ERP developed includes these requirements. Confirm environmental management review process includes these requirements.	The updated Bushfire Risk Management Plan (Revision E, dated 17 March 2021) prepared by Arcadis, was approved by DPE on 21 May 2021. The combined MPW Stage 2 and MPW Stage 3 Construction Emergency Response Plan (Arcadis, Revision I, dated 29 March 2021) was approved by DPE on 7 September 2021 and is currently being implemented on site.	Compliant
	EMERGENCY RESPONSE				
B194	Prior to the commencement of construction and operation, the Applicant must prepare an Emergency Response Plan(s) covering, but not limited to, flooding and bushfire. The Emergency Response Plan(s) must be consistent with Australian Standard AS3745 2010 Planning for Emergencies in Facilities and include details of: (a)assembly points and evacuation routes; (b)evacuation and refuge protocols; and (c)awareness training for employees and contractors.	Prior to Construction and Operation	Confirm preparation of an Emergency Response Plan(s). Confirm review process includes checklist against Australian Standard AS3745 2010.	The combined MPW Stage 2 and MPW Stage 3 Construction Emergency Response Plan (Arcadis, Revision I, dated 29 March 2021) was approved by DPE on 7 September 2021 and is currently being implemented on site.	Compliant
B195	The Bushfire Emergency and Evacuation Management Plan must: (I)be prepared by a suitably qualified and experienced person(s), (ii)be consistent with the Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan (RFS, 2014); and (iii)a copy of the Operational Bushfire Emergency Evacuation Management Plan must be submitted to the Planning Secretary, NSW Rural Fire Service, Council and the Certifying Authority prior to occupation.	Construction and Operation	Confirm Bushfire Emergency Management Plan is prepared by suitable person(s). Confirm Bushfire Emergency Management Plan review process includes checklist against these requirements. Confirm submission to Planning Secretary, NSW Rural Fire Service, Council and Certifying Authority.	The content requirements of the Bushfire Emergency and Evacuation Plan for construction are included as part of the Construction Emergency Response Plan. The combined MPW Stage 2 and MPW Stage 3 Construction Emergency Response Plan (Arcadis, Revision I, dated 29 March 2021) was approved by DPE on 7 September 2021 and is currently being implemented on site.	Compliant
	TENANCY ACTIVITIES				
B196	Prior to occupancy of any freight village or warehouse tenancy, and every subsequent occupation of these tenancies, details of the tenant and occupation activity is to be submitted to the Planning Secretary demonstrating that the proposed activity complies with Conditions A17 and A20.	Operation	Confirm all new tenancy agreements include a compliance check against A17 and A20 prior to occupation. Confirm details of tenant and occupation activity submitted to Secretary (detailing compliance with A17 and A20) prior to any freight village or warehouse tenancy and subsequent occupations.	This compliance report relates to construction only.	Not Triggered

SSD-7709-Mod-1 (Building Height Increase). Determined 24/12/2020
SSD-7709-Mod-2 (Intermodal Facility and Warehousing). Determined 20/09/2021

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and comments	Compliance Status
Compliance Requirement					**Compliant**
Part C - Environmental Management, Reporting and Auditing					**Non-Compliant**
	ENVIRONMENTAL MANAGEMENT				**Not Triggered**
	Management Plan Requirements				
C1	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: (a)detailed baseline data; (b)details of: (I)the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii)any relevant limits or performance measures and criteria; and (iii)the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; (c)a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; (d)a program to monitor and report on the: (I)impacts and environmental performance of the development; (ii)effectiveness of the management measures set out pursuant to paragraph (c) above; (e)a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible; (f)a program to investigate and implement ways to improve the environmental performance of the development over time; (g)a protocol for managing and reporting any: (I)incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria); (ii)complaint; (iii)failure to comply with statutory requirements; (h)roles and responsibilities for implementing the plan; and	At all times	Review content of CEMP to confirm it accords with requirements.	The CEMP and all relevant sub-plans, along with any additional management plans required prior to the commencement of construction, have been approved by DPE. Following the approval of the MPW Stage 3 (SSD 10431) application on 11 May 2021, the MPW Stage 2 CEMP and sub-plans were updated, where applicable, to include the MPW Stage 3 (SSD 10431) management plan requirements in accordance with CoC B19 of the MPW Stage 3 (SSD 10431) development consent. The approval of the management plans is outlined in this table.	Compliant
	CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN				
C2	The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and submit it to the Planning Secretary for approval.	Prior to construction	Record submission of CEMP to Secretary for approval. Record approval of CEMP from Secretary.	The CEMP was approved by DPE on 23 January 2020. The MPW Stage 2 CEMP was revised during the reporting period to include the MPW Stage 3 (SSD 10431) management plan requirements, in accordance with CoC B19 of that development consent. The combined MPW Stage 2 and Stage 3 CEMP (rev O, dated 23 July 2021) was approved by DPE on 7 September 2021. The revised combined MPW Stage 2 and MPW Stage 3 CEMP (Rev Q, dated 2 December 2021) was approved on 18 March 2022 and is currently being implemented on site.	Compliant
C3	As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following: (a)Soil and Water Management Plan (see Condition B29); (b)Acid Sulfate Soils Management Plan (see Condition B39); (c)Construction Traffic and Access Management Plan (see Condition B113); (d)Construction Noise and Vibration Management Plan (see Condition B134); (e)Out-of-hours Work Protocol (see Condition B135(g)); (f)Construction Flora and Fauna Management Plan (see Condition B154); and (g)Unexpected Finds Protocol(s) (see Condition B175).	Prior to construction	Review content of the environmental management plans to confirm they meet the requirements. Record submission of EMPs to Secretary for approval. Record approval of CEMP from Secretary.	The approval dates of these management plans are provided in this table against the relevant conditions of consent. Following the approval of the MPW Stage 3 (SSD 10431) application on 11 May 2021, the MPW Stage 2 CEMP and sub-plans were updated, where applicable, to include the MPW Stage 3 (SSD 10431) management plan requirements in accordance with CoC B19 of the MPW Stage 3 (SSD 10431) development consent.	Compliant

C4	The Applicant must: (a)not commence construction of the development until the CEMP is approved by the Planning Secretary; and (b)carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.	Prior to construction	Confirm commencement date of construction. Confirm approval of CEMP prior to commencement of construction.	The CEMP was approved by DPE on 23 January 2020. The revised combined MPW Stage 2 and MPW Stage 3 CEMP (Rev Q, dated 2 December 2021) was approved on 18 March 2022 and is currently being implemented on site.	Compliant
	OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN				
C5	The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition C1 and submit it to the Planning Secretary for approval.	Prior to operation	Record submission of OEMP to Secretary for approval. Record approval of OEMP from Secretary.	This compliance report relates to construction only.	Not Triggered
C6	As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following: (a)describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (b)describe the procedures that would be implemented to: (I)keep the local community and relevant agencies informed about the operation and environmental performance of the development; (ii)receive, handle, respond to, and record complaints; (iii)resolve any disputes that may arise; (iv)respond to any non-compliance; (v)respond to emergencies; and (c)include the following environmental management plans: (I)Operational Traffic and Access Management Plan (see Condition B118); (ii)Stormwater Infrastructure Operation and Maintenance Plan (see Condition B36); (iii)Stormwater Quality Monitoring Program (see Condition B38); (iv)Landscape Vegetation Management Plan (see Condition B82); (v)Operational Traffic and Access Management Plan (see Condition B118); (vi)Operational Noise Management Plan (see Condition B136); and (vii)Operational Flora and Fauna Management Plan (see Condition B160).	Prior to operation	Review content of OEMP to confirm it accords with requirements.	This compliance report relates to construction only.	Not Triggered
C7	The Applicant must: (a)not commence operation until the OEMP is approved by the Planning Secretary; and (b)operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).	Prior to operation	Confirm commencement date of operation. Confirm approval of CEMP prior to commencement of operation.	This compliance report relates to construction only.	Not Triggered
	REVISION OF STRATEGIES, PLANS AND PROGRAMS				
C8	Within three months of: (a)the submission of an incident report under Condition C10; (b)the submission of an Independent Audit under Condition C17; (c)the approval of any modification of the conditions of this consent; or (d)the issue of a direction of the Planning Secretary under Condition A3(b) which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.	Construction	Review application of triggers for review of strategies, plans and programs. Confirm any required review has been undertaken within the three month timeframe. Confirm the Department has been notified in writing that a review is being carried out.	No incidents occurred during the reporting period. The second independent audit for SSD 7709 was undertaken during the reporting period and was submitted to DPE on 10/05/2022. The submission will trigger the review of the strategies, plans and programs required under this consent within the next reporting period.	Compliant
C9	If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review. Note:This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.:	Construction	Identify any revised documentation subject to this condition and CoC C8. Confirm the submission of any revised strategies, plans or programs to the Department in the required timeframe. Confirm receipt of documentation from the Department affirming satisfaction with the revised documentation.	Revision of any strategies, plans and programs required under this consent will be undertaken within the next reporting period.	Compliant

	REPORTING AND AUDITING				
	Incident Notification, Reporting and Response				
C10	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development), and set out the location and nature of the incident. Subsequent notification requirements must be given and reports submitted in accordance with the requirements set out in Appendix 3.	At all times	For reference	DPE was notified of two incidents during the reporting period. - On the 28/07/2022 an incident report was provided to the EPA regarding the discharge of turbid water. The incident report was forwarded to DPE for information but was not otherwise required under C10. - On the 29/11/2022 notification was provided to DPE regarding an exceedance of EPL criteria.	Not Triggered
	Non-Compliance Notification				
C11	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.	Within 7 days of any non-compliance	Confirm implementation of the approved CEMP that includes incident reporting protocols. Review incident reports and incident register. Review complaints register. Confirm notifications sent with the appropriate content.	Noted.	Not Triggered
C12	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	At all times	*See C11	Noted.	Not Triggered
C13	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	At all times	*See C11	Noted.	Not Triggered
	Compliance Reporting				

C14	No later than six weeks before the date notified for the commencement of construction and operation, a Construction Compliance Monitoring and Reporting Program and Operational Compliance Monitoring and Reporting Program respectively, prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018). The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.	6 weeks prior to construction	Confirm submission of a CMRP prepared in accordance with the CRPAR to the Department and the Certifier. Confirm timing of submission is no later than 6 weeks before the notified date for the commencement of construction. Confirm CMRP makes provision for the preparation of compliance reports in accordance with the CRPAR. Confirm Compliance Reports are made publicly available 60 days after submission to the Department. Confirm notification to the Department and the Certifier has been provided in writing at least 7 days prior to making the respective Compliance Report publicly available.	Compliance Monitoring & Reporting Program, prepared by Tactical Group (Revision D, dated 15 January 2020) was submitted to DPE for information on 20 January 2020. The MPW Stage 2 PCCR was submitted to DPE on 26 November 2020. MPW Stage 2 CCR#1 (December 2020 - May 2021), CCR#2 (June 2021-November 2021), and CCR#3 (December 2021-May 2022) were submitted to DPE. The submission to DPE included the notification that the report would be made publicly available on the website as required by the condition. Notification that the report would be made publicly available on the website as required by the condition was provided to the Certifying Authority, McKenzie Group, via email on 22 July 2021.	Compliant
C15	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	At all times	For reference.	Not triggered for this reporting period.	Not Triggered
	Independent Environmental Audit				
C16	No later one month before the date notified for the commencement of construction and operation, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	1 month before construction and operations commence	Confirm submission of the IAP prepared in accordance with the IAPAR to the Department and the Certifier. Confirm timing of submission is no later than 1 month before the notified date for the commencement of construction and operation.	The Moorebank Park West Stage 2 - SSD 7709 Independent Audit Program (IAP), prepared by Wolfpeak (Revision 0, dated 9 August 2019) was submitted to DPE for information on 9 December 2019. The IAP was submitted to the Certifying Authority on 6 February 2020.	Compliant
C17	Independent Audits of the development must be carried out in accordance with: (a)the Independent Audit Program submitted to the Department and the Certifying Authority under condition C16 of this consent; and (b)the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	Construction and operation	Confirm Independent Audits are carried out in accordance with the Independent Audit Program and the IAPAR.	The Moorebank Park West Stage 2 - SSD 7709 Independent Audit Program (IAP), prepared by Wolfpeak (Revision 0, dated 9 August 2019) was submitted to DPE for information on 9 December 2019. The second independent audit for the SSD 7709 consent was undertaken during the reporting period . The audit was finalised outside the reporting period (WolfPeak, Rev 3, 10 May 2022) and will be captured within the subsequent compliance report. The applicant's response to the second independent audit was also finalised outside the reporting period (Aspect Environmental, Rev 0B, 7 June 2022).	Compliant

C18	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: (a)review and respond to each Independent Audit Report prepared under Condition C17 of this consent; (b)submit the response to the Department and the Certifying Authority; and (c)make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.	Construction and operation	Confirm there is a review and response to each Independent Audit. Confirm submission of the response to the Department and the Certifier. Confirm each Independent Audit is made publicly available within 60 days after submission to the Department. Confirm notification has been provided to the Department and the Certifier in writing once Independent Audits have been made publicly available.	The second independent audit for the SSD 7709 consent was undertaken during the reporting period (WolfPeak, Rev 3, 10 May 2022). The audit was finalised outside the reporting period on 10 May 2022 and will be captured within the subsequent compliance report. The applicants response to the second independent audit was also finalised outside the reporting period (Aspect Environmental, Rev 0B, 7 June 2022).	Compliant
C19	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational	Construction and operation	For reference.	Not triggered for this reporting period.	Not Triggered
	Monitoring and Environmental Audits				
C20	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing. Note:For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.	At all times	For reference.	Noted.	Compliant
	ACCESS TO INFORMATION				

C21	At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must: (a)make the following information and documents (as they are obtained or approved) publicly available on its website: (I)the documents referred to in Condition A3 of this consent and the final, approved revised Development Layout Drawings, Stormwater Design Drawings, Landscape Drawings and Architectural Drawings for the development; (ii)all current statutory approvals for the development; (iii)all approved strategies, plans and programs required under the conditions of this consent; (iv)the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; (v)minutes of CCC meetings; (vi)regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent; (vii)a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; (viii)a summary of the current stage and progress of the development; (ix)contact details to enquire about the development or to make a complaint; (x)a complaints register, updated monthly; (xi)the Compliance Reporting of the development; (xii)audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;	48 hrs prior to construction	Review of public website for currency of approvals, documentation, strategies and plans, reports, monitoring results, staging summary, contact details, complaints register, audit reports, response to audit recommendations, other matters required by the Secretary. Review of directions provided by the Secretary in respect of "other matters". Consultation with the DP&E in respect of agency satisfaction regarding currency of the information published.	The relevant and current information, as specified in this condition is available on the website (www.simta.com.au)	Compliant

SSD-7709-Mod-1 (Building Height Increase). Determined 24/12/2020

SSD-7709-Mod-2 (Intermodal Facility and Warehousing). Determined 20/09/2021