

MOOREBANK PRECINCT WEST (SSD 7709)

Stage 2: Pre-Construction Compliance Report

26 NOVEMBER 2020

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November 2020

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Approver	[Redacted]	[Redacted]

This report has been prepared for SIMTA in accordance with the terms and conditions of appointment for Moorebank Precinct West Early Works dated 7 October 2016. Aspect Environmental Pty Ltd cannot accept any responsibility for any use of or reliance on the contents of this report by any third party.

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Acronyms

Acronym	Meaning
CCMRP	Construction Compliance Monitoring and Reporting Program
CoC	Conditions of Consent
DPIE	Department of Planning, Industry and Environment (formerly Department of Planning and Environment)
FCMMs	Final Compilation of Mitigation Measures
IPC	NSW Independent Planning Commission, formerly the NSW Planning Assessment Commission
MPE	Moorebank Precinct East
MPW	Moorebank Precinct West
SIMTA	Sydney Intermodal Terminal Alliance
SSD	State significant development
SSFL	Southern Sydney Freight Line

1. Introduction

This pre-construction compliance report (PCCR) outlines the compliance status of the MPW Stage 2 (SSD 7709) development with the conditions of consent (CoCs) of SSD 7709 prior to the commencement of the construction, in accordance with the Construction Compliance Monitoring and Reporting Program (CCMRP) required by CoC C14 of the SSD 7709 development consent.

1.1 The MPW Stage 2 Development

The MPW Stage 2 site is located on Moorebank Avenue, in the Liverpool Local Government Area in New South Wales, approximately 27 kilometres (km) south-west of the Sydney Central Business District and approximately 26 km west of Port Botany.

The MPW Stage 2 (SSD 7709) development was granted approval by the Independent Planning Commission 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. The key components of the Project include:

- 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; and
 - 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 215,000 m² and, for each warehouse, associated offices, staff amenities, hardstands and truck and light vehicle parking;
 - 800 m² freight village (operating from 7am to 6pm, 7 days/week), including staff/visitor amenities;
 - internal roads, noise wall, landscaping, lighting and signage; and
 - intersection upgrades on Moorebank Avenue at:
 - Anzac Road providing site access; and
 - 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; and
- 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 1,600,000 m³ 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; and
- utilities installation/ connection.

The following project activities have been undertaken in advance of construction commencing on the MPW Stage 2 development:

- Preparation and submission of post-approval documentation, including the Construction Environmental Management Plan (CEMP) and sub-plans, to the Department of Planning, Industry and the Environment (DPIE) for approval.
- Low impact works, as permitted under the consent:
 - heritage salvage works;
 - site surveying including, but not limited to, the installation of survey equipment such as survey controls, repeater stations, environmental monitoring equipment and construction monitoring equipment;
 - investigations including investigative drilling , contamination investigations and excavations;
 - property acquisition adjustments including installation of property fencing, and relocation and adjustments of utilities to property including water supply and electricity;
 - establishment of a minor ancillary facility under CoC A40;
 - crushing and stockpiling of material generated from on-site remediation works and MPW Stage 1 works; and
 - Installation of temporary sediment and erosion control measures where required to undertake pre-construction activities.

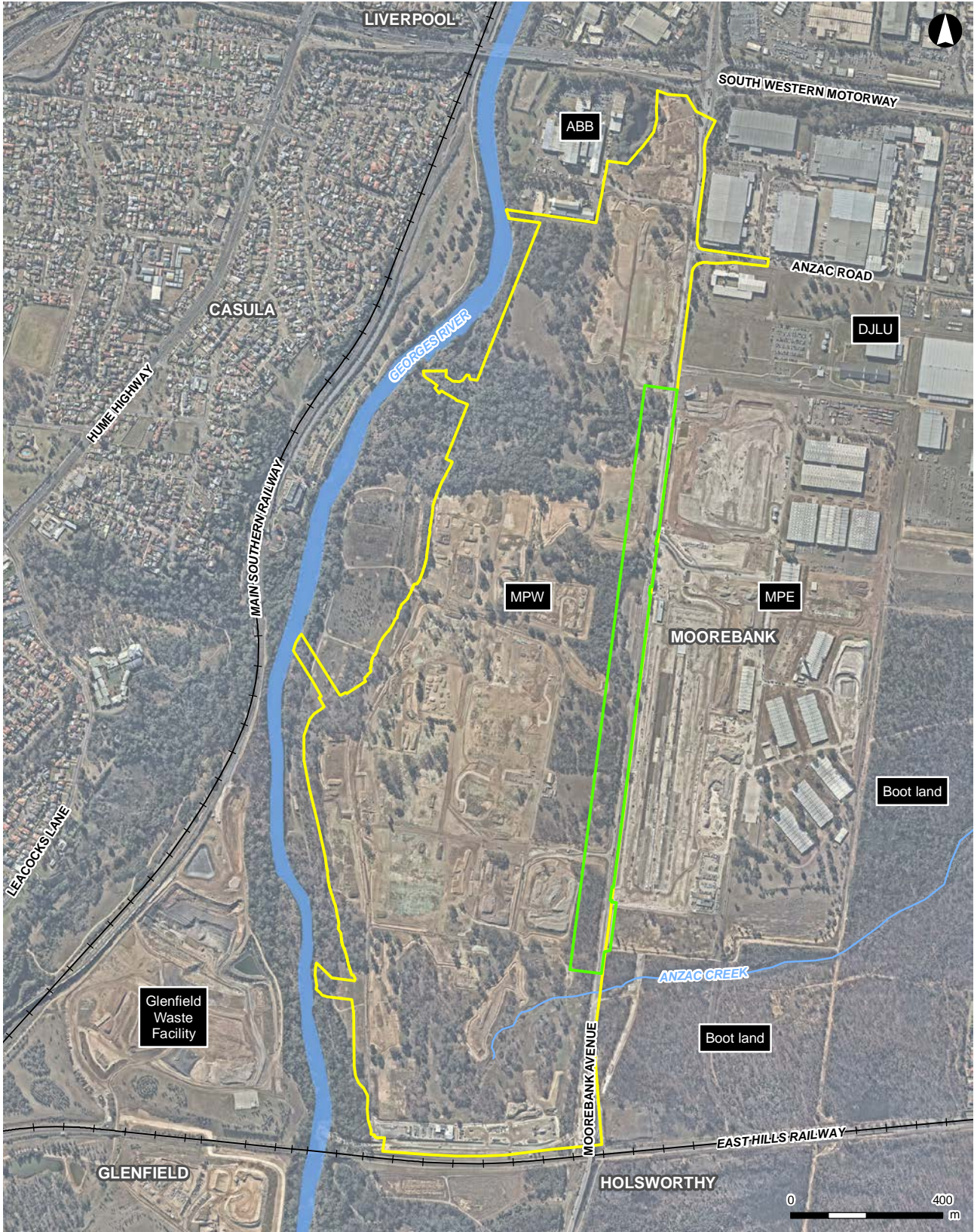
The Project location and overview is shown in Figure 1-1, and the indicative location of the Project construction compounds and stockpiling areas at the commencement of construction are shown in Figure 1-2.

The names and contact details of the key personnel who are responsible for the environmental management of the development are detailed in Table 1.

Table 1: Contact details of the key personnel

Role	Organisation	Name	Contact details	
Principal's Environmental Representative	Aspect Environmental	[REDACTED]	[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]	[REDACTED]
Site Superintendent	J. Wyndham Prince	[REDACTED]	[REDACTED]	[REDACTED]
Site Supervisor	J. Wyndham Prince	[REDACTED]	[REDACTED]	[REDACTED]
Contractor Project Manager	Georgiou	[REDACTED]	[REDACTED]	[REDACTED]
Contractor's Environmental Manager	Georgiou	[REDACTED]	[REDACTED]	[REDACTED]
Environmental Representative – in accordance with CoC 37	Healthy Buildings International	[REDACTED]	[REDACTED]	[REDACTED]

MPW Stage 2 Pre-Construction Compliance Report



LEGEND

- MPW Stage 2 construction area
- Moorebank Avenue site
- Existing railway
- Watercourse

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 ABN 76 104 485 289
 Level 16, 500 George St | Sydney NSW 2000
 P: +61 (0) 2 8907 9000 | F: +61 (0) 2 8907 9001

Coordinate System: GDA 1994 MGA Zone 56
 Aerial imagery supplied by nearmap (Sept, 2018)

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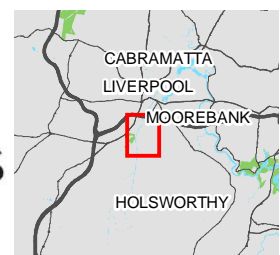


Figure 1-1: MPW Stage 2 construction footprint

MPW Stage 2 Pre-Construction Compliance Report



LEGEND

- MPW Stage 2 construction area
- Northern stockpile
- Southern stockpile
- Main compound
- Ancillary compound
- Access road
- ⊗ Satellite construction compound - Earthworks
- ▲ Construction site access
- ▲ Future construction site access
- Indicative warehouse compound location
- Potential Batch Plant/Crushing site
- + Existing railway

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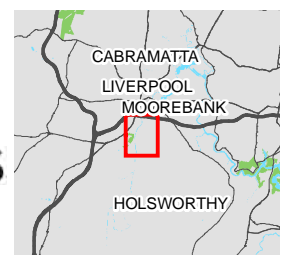


Figure 1-2: MPW Stage 2 indicative construction site layout

2. Scope and purpose of the report

This PCCR outlines the compliance status of the MPW Stage 2 development with the relevant CoCs of the SSD 7709 development consent prior to the commencement of the construction, in accordance with the CCMRP, required by CoC C14.

The CCMRP was issued to DPIE for information on 20 January 2020.

This PCCR has been developed in accordance with Section 2.1 of the Department's CRPAR 2018 guidelines, as required by CoC C14.

3. Inspections, monitoring, audits and incidents

As construction has not yet commenced, requirements for regular inspections, monitoring, auditing and the reporting thereof have not been triggered. Nor have any incidents, associated with MPW Stage 2 works, occurred at the site.

The six-monthly Construction Compliance Reports will detail the construction inspections, monitoring, auditing and any incidents during the relevant reporting period, in accordance with the approved CCMRP.

CoC 37 (j) requires the Environmental Representative to prepare and submit to the Planning Secretary and other relevant regulatory agencies for information a monthly report. The information requirements for this monthly report are set out in the DPIE Environmental Representative Protocol.

To meet this requirement, the Environmental Representative, accompanied by the Principal and Contractor Environmental Representatives, conducts a fortnightly whole-of-site inspection. Further, the Environmental Representative provides a post-inspection report detailing any required actions.

Weekly inspections are also undertaken by the Contractor's Environmental Representative, an inspection report is compiled, and actions are presented to the Site Supervisor(s).

4. Compliance summary

Compliance against the CoC's and the Final Compilation of Mitigation Measures (FCMM) (by exception), by exception, is outlined in Appendix A.

The status of each applicable compliance requirement has been reviewed and is described as **Compliant**, **Non-compliant** or **Not triggered**, in accordance with the CRPAR guideline.

There were no non-compliances identified against the CoC for this PCCR.

Regular review of compliance against the CoC will continue to be undertaken in accordance with the CCMRP.

5. Declaration of Compliance

Project Name	Moorebank Logistics Park – MPW Stage 2
Project Application Number	SSD 7709
Description of Project	<p>Construction and 24/7 operation of the following:</p> <ul style="list-style-type: none"> - 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 m², a freight village and associated infrastructure) on the northern part of the site servicing the IMT facility. <p>Along with intersection upgrades on Moorebank Avenue, stormwater infrastructure for the entire site, construction works and temporary ancillary facilities.</p>
Project Address	Moorebank Logistics Park, Moorebank Avenue, Moorebank
Proponent	Sydney Intermodal Terminal Alliance (SIMTA) as Qube Holdings Limited
Title of Compliance Report	Pre-Construction Compliance Report
Date	26/11/2020

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	Richard Johnson
Title	Director
Signature	
Qualification	BSc; Dip. Law
Company	Aspect Environmental Pty Limited
Company Address	117/25 Solent Circuit, Baulkham Hills

Appendix A – SSD 7709 Compliance Tracking Table

Approval (ID)	Condition	Timing	Monitoring methodology	Compliant	Non-Compliant	Not Triggered	Comments
Compliance Requirement							
Part A Administrative							
Obligation to Minimise Harm to the Environment							
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	Weekly site inspections against an environmental checklist. 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.				
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 CoC in the site EMS (legal requirements register/aspects-impacts register, training, communications and records) and relevant workplace WHS system, including visitor and workplace inductions, awareness sessions and toolbox talks. Review and confirm requirements to comply with CoC are detailed in contracts and clearly communicated to Contractors and Sub-contractors. Review training/induction/toolbox talk content records.				
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.				Compliance Monitoring & Reporting Program, prepared by Tactical Group (Revision D, dated 15 January 2020) was submitted to DPIE for information on 20 January 2020. This Pre-Construction Compliance Report, prepared by Aspect Environmental, dated 26 November 2020.
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 and compliance check on completion of any such requests.				
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/consideration.				
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.				
A7	Only VENM, ENM, or other imported fill material approved in writing by 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, ENM or other approved imported fill				
A8	The total volume of uncompacted fill to be imported must not exceed 1,600,000 m3.	Construction	Confirm records of volume and type of fill are maintained.				
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.	Construction	Confirm records of volume and type of fill are maintained.				
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	Regular inspections to monitor construction activities (including clearing and maintenance) within riparian corridor. Review of aerial imagery to assess compliance.				
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).	Construction	Regular inspections to monitor construction activities (including clearing and maintenance) within riparian corridor. Review of aerial imagery to assess compliance. Check consultation has been carried out where required.				

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).	Construction	Confirm consultation with RMS and approval has been granted where impacts on infrastructure / assets foreseen				
A13	The container freight throughput for MPW must not exceed 500,000 TEU p.a.	Operation	Confirm records of container freight throughput are maintained.				
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 maintenance on the rail line).	Operation	Confirm records of containers transferred between the site and Port Botany by rail versus those transferred by road.				
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.				
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				
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				
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 MPE.	Operation	Confirm movements between terminals are freight related				
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 MPR or MPW rail intermodal terminal				
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; (c) provide aligned services to the intermodal functions.	Operation	Confirm uses of tenancies / occupations are related to intermodal operations / activities				
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).	Construction	Confirm plans have been certified against BCA prior to commencement of construction.				
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.				
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.				
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.				
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.				
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 within 7 days after Certifying Authority accepts.				
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.				
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. Establishment of key agency consultation process / contacts, comment & response tables and consultation log.				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.
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 with DPIE a suitably qualified Chairperson available to setup and manage the committee, in accordance with DPIE CCC Guidelines, January 2019 Section 3.2 Review of Department's Community Consultative Committee Guidelines: State Significant Projects (2019). Confirm CCC formation and commencement in accordance with CCC Guidelines, January 2019 Section 3.5 of functions prior to construction commencing			Request to establish combined MPE/MPW CCC submitted to DPIE on 25 November 2019. DPIE approval of combined CCC received 4 December 2019.
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 DPIE on 25 November 2019. Combined CCC approved by DPIE on 4 December 2019.
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 the local newspaper and through on-site signage, (iii) a complaints register to record the date, time and nature of the complaint, details of the complainant and any actions taken to address the complaint, and (iv) procedures for the resolution of any disputes that may arise during the course of the development.	1 month prior to commencement of construction	Confirm the preparation and submission of the CCS to the Planning Secretary. Confirm submission date is at least 1 month prior to the proposed construction commencement date.			Community Communication Strategy approved by DPIE on 7 February 2020.
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 DPIE on 7 February 2020.
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 DPIE on 29 November 2019.
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 approved by DPIE on 29 November 2019.
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 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 suitably (independence from MPW/MPE), qualifications and experience of ER.			ER appointment approved by DPIE on 29 November 2019.
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			

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 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 such an amendment is necessary, approve the minor amendments.	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.			
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			
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			
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.			
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.
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 plans to current 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).			
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.			
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.			
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.			
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 commencement of any work was provided to DPIE on 10 February 2020 (Ref GEN-TPM-TAC-LTR-00001). DPIE provided a response with no comments on 14 February 2020.
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.			
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 forwarded to Campbelltown City Council, Liverpool City Council and Transport for New South Wales (TfNSW), by email, on 26 March 2020. Copy was lodged with DPIE on 6 April 2020.
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	Confirm consultation with relevant owners and/ or providers of utility services before commencement of construction. Document and record consultation with relevant service providers/owners.			Dilapidation reports have been prepared and provided to the relevant owners and providers.
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 of this consent.	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.			

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.			
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 with a carrier.	Prior to occupation certificate issue	Document and submit evidence to the Certifying Authority. Confirmation receipt of written agreement with carrier.			
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.			
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).	Prior to construction and operation and 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.
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 DPIE 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), was approved by DPIE on 19 May 2020.
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 of 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.			
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 fees pursuant to section 7.13(2) of the EP&A Act.	Prior to issue of construction certificate	Confirmation from Liverpool City Council levy payment received.			
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.			This condition is not identified as a pre-construction requirement. Discussions between Qube and TfNSW regarding the payment arrangements for the contributions required under the executed VPA are ongoing.
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 and documentation of legal requirements register for the site.			Noted.

Approval (ID)	Condition	Timing	Monitoring Methodology	Compliant	Non-Compliant	Not Triggered	Comments
Compliance Requirement							
Part B - Key Environmental Issues							
Development Layout							
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	<p>Confirm records of volume of fill are maintained.</p> <p>Confirm previously cleared locations for fill to be stockpiled on.</p> <p>Confirm induction and toolbox talks reference no vegetation clearing allowed and fill only stockpiled in previously cleared areas.</p>				
B2	<p>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:</p> <p>(a) provision of a riparian corridor, comprising the following:</p> <p>(i) a buffer zone to the most inland of:</p> <ul style="list-style-type: none"> • 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 <p>(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;</p> <p>(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;</p> <p>(c) no construction or operation works would take place inside biodiversity offset areas;</p> <p>(d) compliance with the landscaped setbacks specified in Condition B63;</p> <p>(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;</p> <p>(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;</p> <p>(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, for ongoing maintenance works;</p> <p>(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;</p> <p>(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 Design area and with other core Koala habitat areas.</p>	Prior to construction	<p>Confirm review process includes a checklist against these requirements prior to submission to the Secretary for approval.</p> <p>Confirm submission of revised Development Layout Drawings to the Planning Secretary.</p> <p>Confirm Secretary approval.</p>				Revised Development Layout Drawings, prepared by Reid Campbell (rev H, dated 27 April 2020), were approved by DPIE on 29 May 2020.
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				
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	<p>Confirm submission of Stormwater Design Development Report to the Planning Secretary.</p> <p>Confirm Secretary approval prior to construction commencement date.</p>				<p>Stormwater Design Development Report, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPIE on 19 May 2020.</p> <p>Revised Stormwater System Design drawings are included as Appendix A of the approved Stormwater Design Development Report.</p>
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 DPIE on 19 May 2020.
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				
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 DPIE on 19 May 2020.

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 DPIE, 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 DPIE on 19 May 2020.
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 DPIE on 19 May 2020.
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 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 DPIE on 19 May 2020.
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	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 DPIE on 19 May 2020.
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 DPIE on 19 May 2020.
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 DPIE on 19 May 2020.
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 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 DPIE on 19 May 2020. The MUSIC modelling is included as Appendix B of the approved Stormwater Design Development Report.
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 stormwater infrastructure design 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 DPIE on 19 May 2020.
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	Confirm compliance against these requirements and/ or request to deviate following independent stormwater infrastructure design reviews.			
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	Confirm area of biofiltration / bioretention systems are at least 1% of the catchment.			

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	Confirm division of bioretention systems greater than 1000sqm into cells no greater than 1000sqm.			
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	Confirm compliance with these requirements (checklist) in pre-construction stage.			
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	Conduct regular visual inspections to confirm discharges from development do not cause scour/erosion of the banks and bed, or pollution of the Georges River or Anzac creek. Monitor and record water quality from key discharge points.			
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 outlet structures are constructed of natural materials through regular environmental inspections and compliance reports.			
B22	Outlet structures must ensure habitat connectivity and wildlife movement is maintained along the Georges River riparian corridor.	At all times	Confirm outlet structures allow for habitat connectivity and wildlife movement to be maintained through regular environmental inspections and compliance reports. To be confirmed through site visit / inspections.			
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 DPIE on 19 May 2020.
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 Stormwater Design 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 DPIE on 19 May 2020.
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 full size of proposed trees, as per the landscape plans.	At all times	Confirm Stormwater Design 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 DPIE on 19 May 2020.
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 Stormwater Design 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 DPIE on 19 May 2020.
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 for Stormwater infrastructure/systems. 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 DPIE on 19 May 2020.

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 DPIE on 19 May 2020.
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 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 DPIE on 1 April 2020.
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.	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 DPIE on 1 April 2020.
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 Weekly environmental inspections to include review of ESCPs.			
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.			
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.			
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 subcatchment.	Construction	Confirm date that civil works are complete for each site subcatchment prior to conversion and record on ESCP.			
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.	Prior to 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 DPIE on 1 April 2020. 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.
Stormwater Infrastructure Operation and Maintenance Plan						

B36	<p>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:</p> <p>(a) the management and maintenance of the assets, including evidence that a maintenance contract is in place with a reputable and experienced maintenance contractor;</p> <p>(b) quarterly inspections, and inspections after major rainfall events including scour/ bank protection structures;</p> <p>(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;</p> <p>(d) maintenance of records of all maintenance activities undertaken;</p> <p>(e) preparing quarterly maintenance reports, detailing the results of quarterly inspections, inspections after major rainfall events, and maintenance activities;</p> <p>(f) recording results of water quality monitoring required under Condition B38;</p> <p>(g) investigation, management and mitigation of water quality target exceedances;</p> <p>(h) requiring annual independent auditing; and</p> <p>(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.</p>	Prior to operation	<p>Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval.</p> <p>Confirm Secretary satisfied with Stormwater Infrastructure Operation and Maintenance Plan.</p>				
B37	<p>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.</p>	Construction	<p>Confirm engagement of independent auditor with experience in WSUD.</p> <p>Confirm annual independent audits are carried out in accordance with these requirements.</p>				
Stormwater Quality Monitoring							
B38	<p>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:</p> <p>(a) base line water quality data;</p> <p>(b) monitoring parameters;</p> <p>(c) water quality assessment criteria;</p> <p>(d) receiving water quality monitoring sites in Anzac Creek and upstream and downstream of the site in the Georges River;</p> <p>(e) monitoring of water quality at sediment basin/ on-site detention/ bioretention basin outlet channels and piped outlets discharging to the Georges River;</p> <p>(f) frequency of sampling, including wet weather sampling;</p> <p>(g) method of sampling and analysis;</p> <p>(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</p> <p>(i) include sampling locations and the frequency of sampling including wet weather sampling.</p>	Prior to operation	<p>Confirm Stormwater Quality Monitoring Program review process includes a checklist against these requirements.</p> <p>Confirm Council and EPA consulted during development of Program.</p>				
Acid Sulfate Soil Management							
B39	<p>An Acid Sulfate Soils Management Plan must be developed consistent with the Acid Sulfate Soils Manual and must:</p> <p>(a) deal with the unexpected discovery of actual or potential acid sulfate soils; and</p> <p>(b) include procedures for the investigation, handling, treatment and management of such soils and water seepage.</p> <p>The Plan is to form part of the CEMP required by Condition C2.</p>	Prior to construction	<p>Confirm ASS Management Plan prepared and included in CEMP.</p>				<p>Acid Sulfate Soils Management Plan, prepared by EP Risk (Revision 5, dated 30 January 2020), was approved by DPIE on 21 February 2020.</p>
Land Disturbance, Earthworks and Importation. Of Fill							
B40	<p>The Applicant must:</p> <p>(a) keep accurate records of the source, volume and type of fill imported to, and material removed from, the site; and</p> <p>(b) make these records available to the Department or EPA upon request.</p>	At all times	<p>Confirm records of source, volume and type of fill are maintained.</p>				
B41	<p>Land disturbance and land filling activities must be undertaken:</p> <p>(a) in a phased manner, impacting a maximum contiguous area of 65 hectares at any one time; and</p> <p>(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:</p> <p>(i) a C-factor of 0.05 has been achieved on the previous phase, and</p> <p>(ii) at least 75% of the permanent stabilisation works have been implemented for the previous phase, and</p> <p>(iii) at least 95% all of the permanent stabilisation works on any other previously disturbed area have been implemented.</p> <p>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.</p>	Construction	<p>Confirm land disturbance and filling activities are undertaken in accordance with these requirements through regular inspections/review process.</p>				
B42	<p>Stockpiling of imported fill is not permitted for longer than 6 months before placement.</p>	At all times	<p>Confirm records of duration of stockpiling. Confirm imported fill not stockpiled for longer than 6 months.</p> <p>Regular environmental inspections/reports.</p>				

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; 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.			
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.			
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. Confirm these requirements are met through regular environmental inspections/compliance reports.			
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/m ² /month maximum increase in deposited dust level; and (b) 4 g/m ² /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.			
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.			
Urban Heat Island Mitigation (UHM)						
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 DPIE on 12 August 2020.
Ecologically Sustainable Development						
B49	The Development must be designed and operated to meet SD 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).			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 DPIE on 12 August 2020.
B50	The Development must register for a 'design' and 'as built' rating under the Infrastructure Council of Australia (ISSA) rating tool for development infrastructure.	Construction	Confirm registration of 'design' and 'as built' rating under the Infrastructure Council of Australia (ISSA) rating tool for development infrastructure.			
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. Crosscheck design against the requirements.			
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 DPIE on 12 August 2020. The Revised Landscape Drawings, prepared by Ground Ink (Issue 1, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR. The Revised Architectural Drawings, prepared by Reid Campbell (Issue 1, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.

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 DPIE on 12 August 2020. Conditions B48, B49 and B57 are addressed in sections 2.2, 2.3 and 2.4 of the approved UDDR, respectively.
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 DPIE on 12 August 2020. The Revised Landscape Drawings, prepared by Ground Ink (Issue 1, 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.
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 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 Appedix 4.5 of the approved UDDR.
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 Appedix 4.5 of the approved UDDR.
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 1, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.
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.			
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.	Design, prior to construction	Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.			The Revised Landscape Drawings, prepared by Ground Ink (Issue 1, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.

B60	Paths must be integrated with landscaping and include meanders to allow for canopy tree clusters and a more varied walking/ riding experience.	Design, prior to construction	Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.			The Revised Architectural Drawings, prepared by Reid Campbell (Issue 1, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR. The Revised Landscape Drawings, prepared by Ground Ink (Issue 1, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.
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.	Design, prior to construction	Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.			The Revised Architectural Drawings, prepared by Reid Campbell (Issue 1, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.
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.	Design, prior to construction	Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.			The Revised Architectural Drawings, prepared by Reid Campbell (Issue 1, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.
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.	Design, prior to construction	Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.			The Revised Architectural Drawings, prepared by Reid Campbell (Issue 1, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.
B64	Canopy tree planting must be provided around the perimeter of the site, including the southern fill area where future warehousing is proposed.	Design, prior to construction	Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.			The Revised Landscape Drawings, prepared by Ground Ink (Issue 1, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.
B65	The southern fill area where future warehousing is proposed must be topsoiled and hydroseeded with native grasses.	Construction	Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.			The Revised Landscape Drawings, prepared by Ground Ink (Issue 1, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.
B66	Perimeter fill batters must be stabilised with vegetation.	Construction	Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.			The Revised Landscape Drawings, prepared by Ground Ink (Issue 1, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.
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 UDDR and review process. Regular inspections and compliance reports.			The Revised Landscape Drawings, prepared by Ground Ink (Issue 1, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.
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 these requirements addressed in UDDR and review process. Regular inspections and compliance reports.			The Revised Architectural Drawings, prepared by Reid Campbell (Issue 1, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR. The Revised Landscape Drawings, prepared by Ground Ink (Issue 1, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.
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 these requirements addressed in UDDR 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 DPIE on 12 August 2020.
B70	Boundary fencing design must allow for fauna movement where required under Condition B152(b).	Construction	Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.			Koala Management Plan, prepared by Cumberland Ecology (Version 3, dated 12 March 2020), was approved by DPIE on 4 May 2020.

B71	Screen fencing and planting must be provided around waste bins or other outside storage areas.	Construction	Confirm these requirements addressed in UDDR 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.
B72	Screen planting must be provided on both sides of noise walls.	Construction	Confirm these requirements addressed in UDDR 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.
B73	Retaining wall materials and colours must be of a natural appearance and incorporate landscaping.	Construction	Confirm these requirements addressed in UDDR 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 DPIE on 12 August 2020.
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 these requirements addressed in UDDR/CNVMP 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. The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.
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 these requirements addressed in the Landscape Design drawings/UDDR 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.
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.	Construction	Confirm operational lighting design for site complies with nominated Australian Standards. Confirm requirements have been addressed in review process.			The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPIE on 12 August 2020.
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 phase.			The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPIE 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.
B78	Signage must not occupy more than 10% of any façade or wall of a building.	At all times	Conduct regular visual inspections of external facades/walls of buildings and compliance reporting in construction and operational phase.			The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPIE 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.
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 these requirements addressed in the UDLP and review process. Regular inspections and compliance reports.			Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPIE on 19 May 2020.
Rainwater Re-use						

B80	A rainwater tank(s) must be included on each warehouse, the freight village and rail terminal buildings.	Design, prior to 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 DPIE 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.
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 DPIE on 12 August 2020. The Revised Landscape Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.
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 CS. The LVMP must include: (a) an inspection and maintenance schedule and require replacement plantings for shrubs and trees which fall at an equivalent pot size or larger; and (b) graffiti management.	Prior to operation	Confirm engagement of qualified person to develop LVMP. Confirm LVMP review process includes a checklist against these requirements prior to submission to the Secretary for approval.				
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	Maintenance of records required under the Pesticide Act. Inclusion of pest and weed controls in environmental management plans.				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 K, dated 10 March 2020), was approved by DPIE on 23 March 2020.
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	For reference				
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.	Prior to Construction	Confirm development of CTAMP detailing these requirements for swept paths for entry and egress to the site. Approval from the Planning Secretary and RMS				The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.
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.	Prior to Construction	Confirm development of UDDR and CTAMP detailing these requirements for parking areas.				The CTAMP, prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020. The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPIE on 12 August 2020.
B87	Existing and future utility and service infrastructure must be located outside the roadway being upgraded. 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 RMS.	Prior to Construction	Confirm development of UDDR and CTAMP detailing these requirements for utility and service infrastructure.				The CTAMP, prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.
B88	Road design must incorporate structures for fauna movement between the Georges River riparian corridor and the Boot Land, either under or below the road. Note: See also Condition B2(l) and B152(d)	Prior to Construction	Confirm development of detailing these requirements for fauna movement.				Koala Management Plan, prepared by Cumberland Ecology (Version 3, dated 12 March 2020), was approved by DPIE on 4 May 2020.
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 development of CTAMP and OTAMP detailing these requirements for heavy vehicle movement.				
B90	Access to the ABB site must be maintained throughout construction and operation of the development.	Construction and operation	Confirm development of CTAMP and OTAMP detailing these requirements for access to ABB.				
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.				

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 development of CTAMP and OTAMP detailing these requirements for public use of Moorebank Ave.				
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 design review process contains reference to these requirements. Conduct regular inspections to monitor compliance against these requirements. Confirm development of CTAMP and OTAMP detailing these requirements.				
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.	Prior to road construction works commencing	Confirm engagement of suitably qualified person to draw civil design and TCS plans and suitably qualified practitioner Confirm designs drawn to RMS standards. Confirm payment of fees to RMS				
B95	All documentation required under Condition B94 must be sent to development.sydney@rms.nsw.gov.au.	Construction	Confirm via email documents received.				
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.				
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..	Prior to road construction works commencing	Confirm Works Authorisation Deed (WAD) entered into with RMS addressing these requirements.				
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 WAD entered into with RMS addressing these requirements.				
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.				
B100	All works associated with signposting along Moorebank Avenue must be approved by RMS.	Construction	Confirm RMS approval prior to works.				
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.				
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.				
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				
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 development of CTAMP and OTAMP addressing these requirements. Confirm WAD review process addresses these staging requirements.				
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 no works within RMS (M5) land without prior approval of RMS and Interlink. Regular inspection and compliance reporting.				
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 no works on RMS (M5) boundary without prior approval of RMS and Interlink. Regular inspection and compliance reporting.				

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 Applicant's staff/contractors inducted on Interlink EHS management system where work is to be conducted within their boundaries. Confirm commercial agreement or bank undertaking complete where required.				
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.				
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.				
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				
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.
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.				
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 development of CTAMP by suitably qualified person. 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 DPIE on 23 April 2020.
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 disruptions.	Prior to construction	Confirm CTAMP forms part of CEMP. 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 DPIE on 23 April 2020.
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/CTAMP includes this provision.				
B116	All construction vehicles must be contained wholly within the site and vehicles must enter the site before stopping.	Construction	Confirm CEMP/CTAMP includes this provision.				
B117	All vehicles must enter and leave the site in a forward direction.	Construction	Confirm CEMP/CTAMP includes this provision.				
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 appointment of suitably qualified person to develop OTAMP. 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.				

B119	<p>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:</p> <p>(a) detail numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;</p> <p>(b) detail access arrangements for the site to ensure road and site safety, and demonstrate there will be no queuing on the road network;</p> <p>(c) detail measures to ensure turning areas and internal access roads are kept clear of any obstacles, including parked cars, at all times; and</p> <p>(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.</p>	Prior to operation	<p>Confirm OTAMP forms part of OEMP.</p> <p>Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval.</p>				
Biannual Trip Origin and Destination Report							
B120	<p>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:</p> <p>(a) the total number of actual and standard twenty foot equivalent shipping containers despatched and received during the period;</p> <p>(b) the number of actual and standard twenty foot equivalent shipping containers transported to and from the site by rail during the period;</p> <p>(c) actual hours of operation for the truck gate listing days and hours of operation;</p> <p>(d) records of vehicle numbers accessing the site including a record of heavy vehicle entry by date and approximate time;</p> <p>(e) direction of travel into and out of the site for light vehicle on a representative day; and</p> <p>(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.</p> <p>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.</p>	6 monthly during operations	<p>Confirm Biannual Trip Origin and Destination Report is completed, and cross checked against CoC B120 requirements.</p> <p>Confirm report is in format agreed with TfNSW and RMS and submitted to Secretary, TfNSW and RMS within one month of its preparation.</p>				
Workplace Travel							
B121	<p>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:</p> <p>(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;</p> <p>(b) peak period express buses to/ from the site and Holsworthy rail station via Anzac Road, Wattle Grove Drive and Heathcote Road with frequency dependent on the development of the site; and</p> <p>(c) consideration of extension of the 901 bus service and new bus stop locations if required.</p>	Prior to issue of Occupation Certificate	<p>Confirm consultation with TfNSW has occurred.</p> <p>Confirm submission of Workplace Travel Plan to Secretary.</p>				
B122	<p>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.</p>	Commencing one year after commencement of operation of the IMT facility and for up to 5 years from occupation of the final warehouse building	<p>Confirm submission of annual report to Department, TfNSW and RMS.</p>				
B123	<p>The Applicant and each occupant/operator must implement the most recent version of the Workplace Travel Plan for the duration of the development.</p>	At all times	<p>Confirm each occupant/operator receives a copy of the Workplace Travel Plan (WTP).</p> <p>Record correspondence to all occupants/operators that they are to implement the WTP.</p>				
Driver Code of Conduct							
B124	<p>The Applicant must prepare and submit a Driver Code of Conduct to the Secretary which includes the following measures to minimise impacts:</p> <p>(a) adherence to specified transport routes, including no heavy vehicle access to and from Cambridge Avenue;</p> <p>(b) acceptable delivery hours;</p> <p>(c) no extended periods of engine idling;</p> <p>(d) avoiding queuing in or around the site;</p> <p>(e) compliance with site speed limits;</p> <p>(f) limiting the need for reversing on site; and</p> <p>(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.</p>	Construction	<p>Confirm Driver Code of Conduct developed as part of the CTAMP/OTAMP.</p> <p>Confirm Driver Code of Conduct review process includes a checklist against these requirements prior to submission to the Secretary for approval.</p>				
Construction Hours of Work							
B125	<p>The Applicant must comply with the hours detailed in Table 2.</p>	Construction	<p>Confirm working hours are included in CEMP.</p> <p>Confirm inclusion of working hours in inductions and toolbox talks.</p> <p>Periodic review of actual start and finish times.</p>				

B126	Except as permitted by an EPL, 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	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.				
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) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm; or (f) where they are undertaken in accordance with an Out-Of-Hours Work Protocol under Condition B135.	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.				
B128	Blasting is not permitted on the site.	Construction	Confirm no blasting requirement in CEMP and CEMP review process. Regular inspection / compliance reporting.				
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.				
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.				
Intermodal Terminal Operational Noise Limits							
B131	The Applicant must ensure that the noise 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.				
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 terminal and rail port shuttle operations review process includes a checklist against these best practice requirements prior to operation commencing. Confirm these requirements are included in OEMP and covered in compliance reporting.				
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/ONVMP.. Review complaints register and incident register.				
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 DPIE on 7 February 2020.

B135	<p>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:</p> <p>(a) identification of the work areas, site compounds and internal access routes;</p> <p>(b) identification of the type and number of plant and equipment expected on site at the same time;</p> <p>(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;</p> <p>(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);</p> <p>(e) Identification of any construction activities predicted to exceed NMLs;</p> <p>Note: The ICNG identifies 'particularly annoying' activities that require the addition of 5dB(A) to the predicted level before comparing to the construction NML.</p> <p>(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</p> <p>(g) an Out-of-hours Work Protocol for the assessment, management and approval of works associated with the Moorebank Avenue/Anzac Road upgrade, the delivery of the rail link connection, and works required to be undertaken during rail corridor possessions, outside of the hours identified in Condition B125. The Out-of-hours Work Protocol must:</p> <p>(i) detail an assessment of out-of-hours works against the relevant NMLs and vibration criteria,</p> <p>(ii) provide detailed mitigation measures for any residual impacts (that is, additional to general mitigation measures), including extent of at-receiver treatments, and</p> <p>(iii) include proposed notification arrangements.</p>	Construction	<p>Confirm CNVMP developed as part of CEMP.</p> <p>Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval.</p>			<p>The Construction Noise and Vibration Management Plan, prepared by Renzo Tonin & Associates (Revision 7, dated 29 January 2020), was approved by DPIE on 7 February 2020.</p>
Operational Noise Management Plan						
B136	<p>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).</p>	Operation	<p>Confirm ONMP developed.</p> <p>Confirm Secretary approval via correspondence prior to commencement of operation.</p>			
B137	<p>The ONMP must form 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.</p>	Operation	<p>Confirm ONMP part of OEMP.</p> <p>Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval.</p>			
Mechanical Plant and Other Noisy Equipment Monitoring						
B138	<p>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.</p>	Prior to construction	<p>Confirm submission of Noise Assessment for Mechanical Plant and other noisy equipment to Secretary.</p>			
B139	<p>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.</p>	Within 2 months of commencement of operation	<p>Confirm qualifications and experience of suitably qualified and experienced person available to develop monitoring program and complete monitoring.</p> <p>Confirm submission of Monitoring Report for Mechanical Plant to Secretary within 2 months of operation commencing.</p>			
Site Noise Monitoring and Reporting						

B140	<p>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:</p> <p>(a) noise monitoring to assess compliance with the predicted operational noise levels and the noise limits specified in Table 4;</p> <p>(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);</p> <p>(c) sleep disturbance impacts compared to those determined in documents specified under Condition A3;</p> <p>(d) impacts associated with annoying characteristics such as prominent tonal components, impulsiveness, intermittency, irregularity and dominant low-frequency content;</p> <p>(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;</p> <p>(f) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and heavy vehicle proportions;</p> <p>(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;</p> <p>(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;</p> <p>(i) 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</p> <p>(j) procedures for the management of operational noise and vibration complaints.</p> <p>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</p>	<p>Within 12 months of commencement of operation; occupation of first warehouse, 50% occupation, 100% occupation</p>	<p>Confirm implementation of operational noise monitoring as per the approved Program (B139) and development of Report to include these requirements.</p> <p>Regular compliance inspections/reporting.</p>				
Rail Noise Monitoring and Reporting							
B141	<p>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:</p> <p>(a) time and date of freight train passbys;</p> <p>(b) imagery or video to enable identification of the rolling stock during the day and night;</p> <p>(c) LAeq(15hour) and LAeq(9hour) from rail operations; and</p> <p>(d) LAF(max) and SEL of individual train passbys, measured in accordance with ISO3095; or</p> <p>(e) other alternative information as agreed with, or required by, the Planning Secretary.</p> <p>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.</p>	<p>Operation</p>	<p>Confirm installation and maintenance of rail noise monitoring system to include these requirements.</p> <p>Confirm noise monitoring results/live data are made available on website within set timeframes.</p> <p>Regular compliance checks/reports.</p>				
B142	<p>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.</p>	<p>Prior to operation</p>	<p>Confirm location of rail noise monitoring approved by Secretary.</p>				
B143	<p>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.</p> <p>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.</p>	<p>Operation</p>	<p>Confirm annual Rail Noise Monitoring Report submitted to Secretary for first 5 years.</p>				
Aboriginal Sites							
B144	<p>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.</p>	<p>Prior to any impacts on Aboriginal objects and sites</p>	<p>Confirm development of Salvage Strategy in consultation with OEH and RAPs.</p>				<p>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 DPIE for information on 17 January 2020.</p>
B145	<p>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.</p>	<p>Prior to any impacts on Aboriginal objects and sites</p>	<p>Confirm engagement of qualified arborist and removal of scar trees in consultation with RAPs.</p>				
B146	<p>Staged salvage excavation of selected areas should be conducted in consultation with Registered Aboriginal Parties. These stages include:</p> <p>(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</p> <p>(b) open area salvage excavation, targeting the artefact concentrations at MA10 and MA14, as well as any additional artefact concentrations identified during (a) above.</p>	<p>Prior to any impacts on Aboriginal objects and sites</p>	<p>Confirm staged salvage excavation conducted in consultation with RAPs and includes these requirements.</p>				<p>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 DPIE for information on 17 January 2020.</p>

B147	Following completion of salvage, the Applicant must prepare an Aboriginal Cultural Heritage Salvage Report 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 of this Report to Secretary, OEH, relevant Councils and RAPs within 12 months of completion of works.				
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 CEMP. Confirm content inclusion in training, induction and pre-work startups or toolbox talks. Review incident register.				On 14 May 2020, Biosis identified an unexpected Aboriginal object within the MPW Stage 2 construction area. The Aboriginal object was neither identified in previous Aboriginal heritage assessments of MPW not registered on the Aboriginal Heritage Information Management System (AHIMS) database. All work in the immediate vicinity ceased, a 10m buffer was established and OEH (now the Department of Premier and Cabinet - Heritage Division) was notified, in accordance with this condition. Artefact were engaged to prepare an Aboriginal Cultural Heritage Management Plan (ACHMP), as required by CoC B149.
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 an Aboriginal Cultural Heritage Management Plan is prepared in consultation with the RAPs and OEH. Where triggered, confirm written approval from OEH has been obtained.				The ACHMP for the unexpected find was prepared by Artefact (dated 16 October 2020) and was approved by DPIE on 20 October 2020. Following the approval of the ACHMP, works recommenced on site, in accordance with this condition.
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 CEMP. Confirm content inclusion in training, induction and pre-work startups or toolbox talks. Review incident register. Provide evidence of the Management Strategy (if required)				
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.				
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 corridors; and (f) include other measures to minimise the risk of harm to koalas.	Prior to clearing native vegetation	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.				Koala Management Plan, prepared by Cumberland Ecology (Version 3, dated 12 March 2020), was approved by DPIE on 4 May 2020.
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.	Prior to clearing native vegetation	Confirm no more than 42.89 hectares of native vegetation is cleared. Confirm installation and maintenance of exclusive fencing along riparian corridor and around remaining native vegetation before commencement of works. Regular inspections / compliance reporting.				

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 Construction	Confirm development of CFFMP. Confirm OEH/EES consulted during CFFMP development. Confirm via correspondence Secretary approval received prior to clearing native vegetation.			Construction Flora and Fauna Management Plan, prepared by Arcadis (Revision K, dated 10 March 2020), was approved by DPIE on 23 March 2020.
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.	Prior to Construction	Confirm environmental management plan/CFFMP review process includes a checklist against these requirements prior to submission to the Secretary for approval. Confirm CFFMP submitted to Secretary prior to any clearing required to conduct remediation, if required.			Construction Flora and Fauna Management Plan, prepared by Arcadis (Revision K, dated 10 March 2020), was approved by DPIE on 23 March 2020.
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 pre-clearing surveys and inspections for threatened species, populations and ecological communities undertaken prior to removing/clearing vegetation for works. Confirm survey/inspections conducted by suitably qualified person Regular inspections/compliance reporting.			
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 any impact on the species to be offset	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 DPIE on 13 December 2019.
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.	Prior to any impact on the species to be offset	For reference			See above.
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.	At all times	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.			
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 development of OFFMP by suitably qualified person. Confirm environmental management plan review process includes a checklist against these requirements. Confirm OEH consulted during OFFMP development. Confirm via correspondence Secretary approval received, prior to operations commencing.			
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.
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 EPA provided a copy of PFAS reports prior to construction.			The reports required by the condition were provided to the EPA via email, by Tactical Group on behalf of Qube, on 2 November 2020. EPA acknowledged receipt of reports via email on Tuesday 3 November.
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.	At all times	Confirm EPA contacted where PFAS offsite risks identified. Confirm community consultation if required.			
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 (CMP) completed prior to vegetation clearing/remediation. Confirm CMP 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 DPIE on 23 October 2020.
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 CMP/CEMP provided to Secretary 1 month prior to vegetation clearing. Confirm consultation with Site Auditor.			The assessment required by CoC B164(b) was submitted to DPIE 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 DPIE on 23 October 2020.
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 remediation of site in accordance with RAP. Confirm submission of RAP to Site Auditor and EPA for comment prior to implementation. Confirm Site Auditor has approved any amendments.			No RAP required, as per Site Audit Statement
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 Validation Report prepared for Stage 1 addressing these requirements. Confirm Report reviewed by Site Auditor and prepared in accordance with OEH guidelines.			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.

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	Confirm commencement construction date. 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 DPIE on 20 November 2020, to the EPA via email on 23 November 2020, and to the Certifying Authority via email on 24 November 2020.
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 construction	Confirm Site Audit Report and Site Audit Statement submitted to Secretary upon completion of remediation (under Stage 1) and commencement of construction (other than clearing).			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 DPIE on 26 October 2020. DPIE 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.
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.	At all times	For reference			Noted.
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.			
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 development of LTEMP by suitably qualified person. 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 DPIE and the EPA for information on 24 November 2020.
B173	The LTEMP must be registered on the title to the land.	Prior to construction (other than vegetation clearing)	Confirm LTEMP is registered.			
Unexpected Ordinance						

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. The protocols have been prepared by G-Tek, who are listed on the Defence Panel of suitably qualified UXO consultants and contractors, in accordance with this condition.
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).			Unexpected Finds Protocol is Appendix D of the approved CEMP. The CEMP, prepared by Arcadis (Revision J, dated 14 January 2020), was approved by DPIE on 23 January 2020.
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).	Construction and Operation	Confirm these requirements stipulated in CEMP/OEMP. Confirm total quantities of dangerous goods kept below SEPP33 thresholds. Regular inspections / compliance reporting.			
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	Confirm operator/occupants store and handle chemicals/dangerous good in accordance with Australian Code for the Transport of Dangerous Goods by Road & Rail, and these requirements. Confirm these requirements are included in Warehouse Operational Environmental Management Plans (WOEMPs) and tenancy leases/agreements. Regular inspections/compliance reporting.			
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.			
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 Secretary detailing compliance of operations of premises (to B176 and B177) prior to occupation of each premises.			
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.			
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.			
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 with Council for design of any warehouse waste storage areas if waste to be collected by Council.			
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 includes measures for waste management in accordance with EPA Strategy. Confirm OEMP review process includes these requirements.			
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 planned Concrete Batching Plants.			
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	For reference. Currently no planned Concrete Batching Plants.			
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.	Prior to construction	Confirm CEMP includes mitigations to minimise impacts from crushing plant. Regular inspections / compliance reporting.			The Construction Noise and Vibration Management Plan (CNVMP), prepared by Renzo Tonin & Associates (Revision 7, dated 29 January 2020), was approved by DPIE on 7 February 2020. 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.
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.			
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 mitigations to minimise impacts from container wash down facility. Confirm environmental management review process includes these requirements. Regular inspections/compliance reporting.			
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 updated Bushfire Risk Management Plan (BRMP) developed includes these requirements. Confirm environmental management review process includes these requirements.			
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.			
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.	Prior to construction of permanent built surface works.	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, prepared by Arcadis, (Revision C, dated 7 November 2019), was submitted to DPIE for information on 12 December 2019.
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 BRMP developed includes these requirements. Confirm public road access and environmental management review process includes these requirements.			
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 revised BRMP includes these requirements. Confirm utilities design process and environmental management review process includes these requirements.			
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 the commencement of construction and operation	Confirm preparation of an Emergency Response Plan(s). Confirm review process includes checklist against Australian Standard AS3745 2010.			Construction Emergency Response Plan, prepared by Arcadis (Revision E, dated 7 April 2020), was submitted to DPIE for information on 9 April 2020.
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.	Prior to the commencement of construction and operation	Confirm ERP includes Operational Bushfire Emergency and Evacuation Management Plan. Confirm it has been developed by suitably qualified person. Confirm it is in accordance with relevant guideline. Confirm ERP submitted to Secretary, NSW Rural Fire, Council and Certifying Authority prior to occupation.			The content requirements of the Bushfire Emergency and Evacuation Plan for construction are included as part of the Construction Emergency Response Plan, prepared by Arcadis (Revision E, dated 7 April 2020), was submitted to DPIE for information on 9 April 2020.
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.	Prior to occupancy	<p>Confirm all new tenancy agreements include a compliance check against A17 and A20 prior to occupation.</p> <p>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.</p>				
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Approval (ID)	Condition	Timing	Monitoring methodology	Compliant	Non-Compliant	Not Triggered	Comments
Compliance Requirement							
Part C - Environmental Management, Reporting and Auditing							
Environmental Management							
Management Plan Requirements							
C1	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) details of:</p> <p>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>(ii) any relevant limits or performance measures and criteria; and</p> <p>(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;</p> <p>(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;</p> <p>(d) a program to monitor and report on the:</p> <p>(i) impacts and environmental performance of the development;</p> <p>(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;</p> <p>(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;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <p>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</p> <p>(ii) complaint;</p> <p>(iii) failure to comply with statutory requirements;</p> <p>(h) roles and responsibilities for implementing the plan; and</p> <p>(i) a protocol for periodic review of the plan.</p> <p>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</p>	At all times	Review content of CEMP and OEMP (and sub-plans) to confirm it accords with requirements.				<p>The CEMP and all relevant sub-plans, along with any additional management plans required prior to the commencement of construction, has been approved by DPIE.</p> <p>The approval of these plans is outlined in this table.</p>
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	<p>Record submission of CEMP to Secretary for approval.</p> <p>Record approval of CEMP from Secretary.</p>				The CEMP was approved by DPIE on 23 January 2020.
C3	<p>As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following:</p> <p>(a) Soil and Water Management Plan (see Condition B29);</p> <p>(b) Acid Sulfate Soils Management Plan (see Condition B39);</p> <p>(c) Construction Traffic and Access Management Plan (see Condition B113);</p> <p>(d) Construction Noise and Vibration Management Plan (see Condition B134);</p> <p>(e) Out-of-hours Work Protocol (see Condition B135(g));</p> <p>(f) Construction Flora and Fauna Management Plan (see Condition B154); and</p> <p>(g) Unexpected Finds Protocol(s) (see Condition B175).</p>	Prior to construction	<p>Review content of the environmental management plans (as sub-plans of the CEMP) to confirm they meet the requirements.</p> <p>Record submission of environmental management plans to Secretary for approval.</p> <p>Record approval of CEMP from Secretary.</p>				The approval dates of these management plans are provided in this table against the relevant condition of consent.
C4	<p>The Applicant must:</p> <p>(a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and</p> <p>(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.</p>	Prior to construction	<p>Confirm commencement date of construction.</p> <p>Confirm approval of CEMP prior to commencement of construction.</p>				The CEMP was approved by DPIE on 23 January 2020.
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	<p>Record submission of OEMP to Secretary for approval.</p> <p>Record approval of OEMP from Secretary.</p>				

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.				
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.				
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.				
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.				
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				
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 and/or OEMP that includes incident and non-compliance reporting protocols. Review incident reports and incident register. Review complaints register. Confirm notifications sent to Department on any non-compliances with seven days.				
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	Confirm implementation of the approved CEMP and/or OEMP that includes incident and non-compliance reporting protocols. Review incident reports and incident register. Review complaints register. Confirm notifications sent to Department on any non-compliances with seven days.				
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	For reference				

Compliance Reporting							
C14	<p>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.</p> <p>Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).</p> <p>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.</p>	6 weeks prior to construction	<p>Confirm submission of a Construction Compliance Monitoring and Reporting Program (CCMRP) and Operational Compliance Monitoring and Reporting Program (OCMRP) prepared in accordance with the Compliance Reporting Post Approval Requirements (CRPAR) to the Department and the Certifier.</p> <p>Confirm timing of submission is no later than 6 weeks before the notified date for the commencement of construction.</p> <p>Confirm CMRP makes provision for the preparation of compliance reports in accordance with the CRPAR.</p> <p>Confirm Compliance Reports are made publicly available 60 days after submission to the Department.</p> <p>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.</p>				<p>Compliance Monitoring & Reporting Program, prepared by Tactical Group (Revision D, dated 15 January 2020) was submitted to DPIE for information on 20 January 2020.</p> <p>This PCCR has been prepared in accordance with the Compliance Reporting Post Approval Requirements (2018).</p>
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				
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	<p>Confirm submission of the Independent Audit Program (IAP) prepared in accordance with the Independent Audit Post Approval Requirements (IAPAR) to the Department and the Certifier.</p> <p>Confirm timing of submission is no later than 1 month before the notified date for the commencement of construction and operation.</p>				<p>The Moorebank Park West Stage 2 - SSD 7709 Independent Audit Program (IAP), prepared by Wolfpeak (Revision 0, dated 9 August 2019) was submitted to DPIE for information on 9 December 2019.</p> <p>The IAP was submitted to the Certifying Authority on 6 February 2020.</p>
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 IAP and the IAPAR.				
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	<p>Confirm there is a review and response to each Independent Audit.</p> <p>Confirm submission of the response to the Department and the Certifier.</p> <p>Confirm each Independent Audit is made publicly available within 60 days after submission to the Department.</p> <p>Confirm notification has been provided to the Department and the Certifier in writing once Independent Audits have been made publicly available.</p>				
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 compliance.	Construction and operation	For reference				
Monitoring and Environmental Audits							

C20	<p>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.</p> <p>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.</p>	At all times	For reference			
ACCESS TO INFORMATION						
C21	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must:</p> <p>(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; (xiii)any other matter required by the Planning Secretary; and (b)keep such information up to date, to the satisfaction of the Planning Secretary.</p>	48 hrs prior to construction	<p>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.</p> <p>Review of directions provided by the Secretary in respect of "other matters".</p> <p>Consultation with the DP&E in respect of agency satisfaction regarding currency of the information published.</p>			<p>The relevant and current information, as specified in this condition is available on the SIMTA website (www.simta.com.au)</p>