

Annual Compliance Report

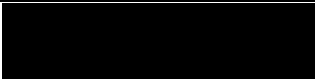
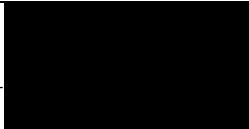
23 June 2025 – 22 June 2026

EPBC Approval No. 2011/6229

Moorebank Intermodal Terminal Project

EPBC Approval No. 2011/6229

Annual Compliance Report
23 June 2025 – 22 June 2026

Author		
Checker		
Approver		
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Revisions

Revision	Date	Description	Prepared by	Approved by
01	09/09/2026	Draft for client review		
02	16/09/2026	Final for submission		

Declaration of Accuracy – Qube Holdings Limited (as joint approval holder)

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

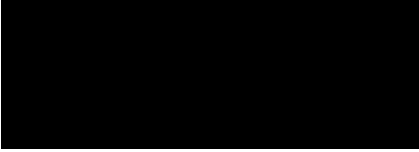
Full name: 

Organisation: Qube Holdings Limited (ACN:149 723 053)

Date__18 September 2026_____

Declaration of Accuracy – ESR Australia and New Zealand (as joint approval holder)

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

Sign 

Full

Organisation: ESRL MLP Development Management Pty Ltd (ACN: 649 469 778)

Date 18/09/2026

Table of Contents

<i>Declaration of Accuracy – Qube Holdings Limited (as joint approval holder)</i>	3
<i>Table of Contents</i>	5
List of Tables	5
List of Figures	5
<i>Acronyms and Definitions</i>	6
1. Introduction	7
1.1. Description of Activities.....	7
1.2. Purpose of this Report	8
1.3. Transfer of Consent	8
2. Action Description	9
2.1. Precinct Overview	9
2.2. Site Location	9
2.3. State Approvals	9
3. Scope of Reporting	12
3.1. MITF Construction Activities.....	12
3.2. MITF Operational Activities.....	12
4. Newly Identified Environmental Risks	13
5. Compliance Summary	14
5.1. Independent Audit, Potential Breach & Warning Letters	14
5.2. Non-compliances identified in the Reporting Period	14
6. Conclusion	15
<i>Appendix A – EPBC 2011/6229 Conditions of Approval</i>	16
<i>Appendix B – EPBC 2011/6229 Variation to Approval Conditions</i>	17
<i>Appendix C – Compliance Tracking Table</i>	18

List of Tables

Table 1-1 Details of the approved action	7
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List of Figures

Figure 1-1 MITF Site layout	10
Figure 1-2 Current activities within EPBC 2011/6229 footprint	11

Acronyms and Definitions

Acronym / Term	Meaning
CoA	Condition(s) of Approval
DCCEEW	Department of Climate Change, Energy, the Environment and Water
EPBC Act	<i>Environment Protection and Biodiversity Act 1999</i>
IMEX	Import Export (terminal)
MITF	Moorebank Intermodal Terminal Facility
MPE	Moorebank Precinct East
MPW	Moorebank Precinct West
SSD	State significant development
SSFL	South Sydney Freight Line
TEU	Twenty-foot equivalent units

1. Introduction

1.1. Description of Activities

The approved action has been detailed in Table 1-1.

Table 1-1 Details of the approved action

EPBC number	2011/6299
Action name	Moorebank Intermodal Terminal Facility
Person to Whom the Approval is Granted	<u>Until 22 April 2022:</u> - Qube Holdings Limited (ACN: 149 723 053) - Aurizon Holdings Limited (ACN: 146 335 622) <u>From 22 April 2022 onwards:</u> - Qube Holdings Limited (ACN: 149 723 053) - LOGOS MLP Development Management PTY LTD (ACN: 649 469 778)
Approved Action:	To construct and operate the Moorebank Intermodal Terminal Facility and associated rail infrastructure, including a rail link to the Southern Sydney Freight Line, approximately 27 km south-west of Sydney's CBD [See EPBC Act referral 2011/6229 and 'Notification of variation of proposal to take action' dated 13 November 2012].
Location of the Project	Sydney, NSW
Person Accepting Responsibility for the Report	<u>Until 22 April 2022:</u> - Qube Holdings Limited (ACN: 149 723 053) - Aurizon Holdings Limited (ACN: 146 335 622) <u>From 22 April 2022 onwards:</u> - Qube Holdings Limited (ACN: 149 723 053) - LOGOS MLP Development Management PTY LTD (ACN: 649 469 778) <u>From 2024 onwards:</u> - Qube Holdings Limited (ACN: 149 723 053) - ESRL MLP Development Management PTY LTD (ACN: 649 469 778)
Reporting Period	23 June 2025 to 22 June 2026
Report Date	08 09 2026

1.2. Purpose of this Report

The Moorebank Precinct East (MPE) terminal and warehouse facility, located on Moorebank Avenue in Moorebank, NSW, was approved as the Moorebank Intermodal Terminal Facility (MITF) (the Action) on 06 March 2014 under Sections 18, 18A, 26 and 27A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The approval instrument (EPBC 2011/6229) has been subject to the following variations:

- Variation amending CoAs 7(b) and 8(a), approved by the Secretary's representative on 19 August 2019
- Variation amending CoA 14 and inserting CoAs 14A through 14E, approved by the Secretary's representative on 27 June 2022.

Compliance tracking and reporting requirements for the Action are specified in Condition of Approval (CoA) 12. CoA 12 states:

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

This annual compliance report (ACR) summarises the compliance of the Action against the requirements of EPBC 2011/6229 for the reporting period 23 June 2025 to 22 June 2026. The compliance status of the Action against each CoA is provided in Appendix C – Compliance Tracking Table.

This report has been prepared by Aspect Environmental Pty Ltd with input from ESR Australia & NZ, Qube, National Intermodal, Tactical Group and their respective contractors.

1.3. Transfer of Consent

This compliance report has been prepared on the joint behalf of the approval holders for EPBC 2011/6229.

LOGOS acquired the warehouse and property components of the MITF during the 2021-2022 reporting period, whilst Qube has retained ownership of the terminal operations.

The Commonwealth Department of Agriculture, Water and the Environment (now the Commonwealth Department of Climate Change, Environment, Energy and Water (DCCEEW)) approved the inclusion of LOGOS as joint approval holder in the EPBC 2011/6229 consent on 22 April 2022 (Appendix A).

In 2022, LOGOS joined ESR Group and since 2024 operate under the ESR Australia and New Zealand (ESR) business. The applicant/ approval holder entity remains unchanged at this stage until further notice and references to LOGOS and LOGOS authored documents and/or plans may continue and remains relevant where LOGOS and ESR are used interchangeably.

2. Action Description

2.1. Precinct Overview

The Moorebank Intermodal Precinct (MIP) comprises the Moorebank Precinct East (MPE) and Moorebank Precinct West (MPW) development sites. The works approved under EPBC 2011/6229 are located at the MPE Site, as shown in Annexure B of the Approval and in Figure 1-1 below. The current extent of construction and operational activities within the footprint of EPBC 2011/6229 are illustrated in Figure 1-2.

2.2. Site Location

The MITF is located approximately 27km south-west of the Sydney CBD and approximately 26km west of Port Botany within the Liverpool Local Government Area in Sydney's South-West Sub-Region

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

2.3. State Approvals

The works associated with the Action are being delivered in accordance with the following NSW State significant development (SSD) approvals:

- SSD 6766 - MPE Stage 1 - construction of the rail link and construction of the Import Export Terminal (IMEX)
- SSD 7628 - MPE Stage 2 – construction of warehousing and associated infrastructure and Moorebank Avenue upgrade works.

Figure 1-1 MITF Site layout

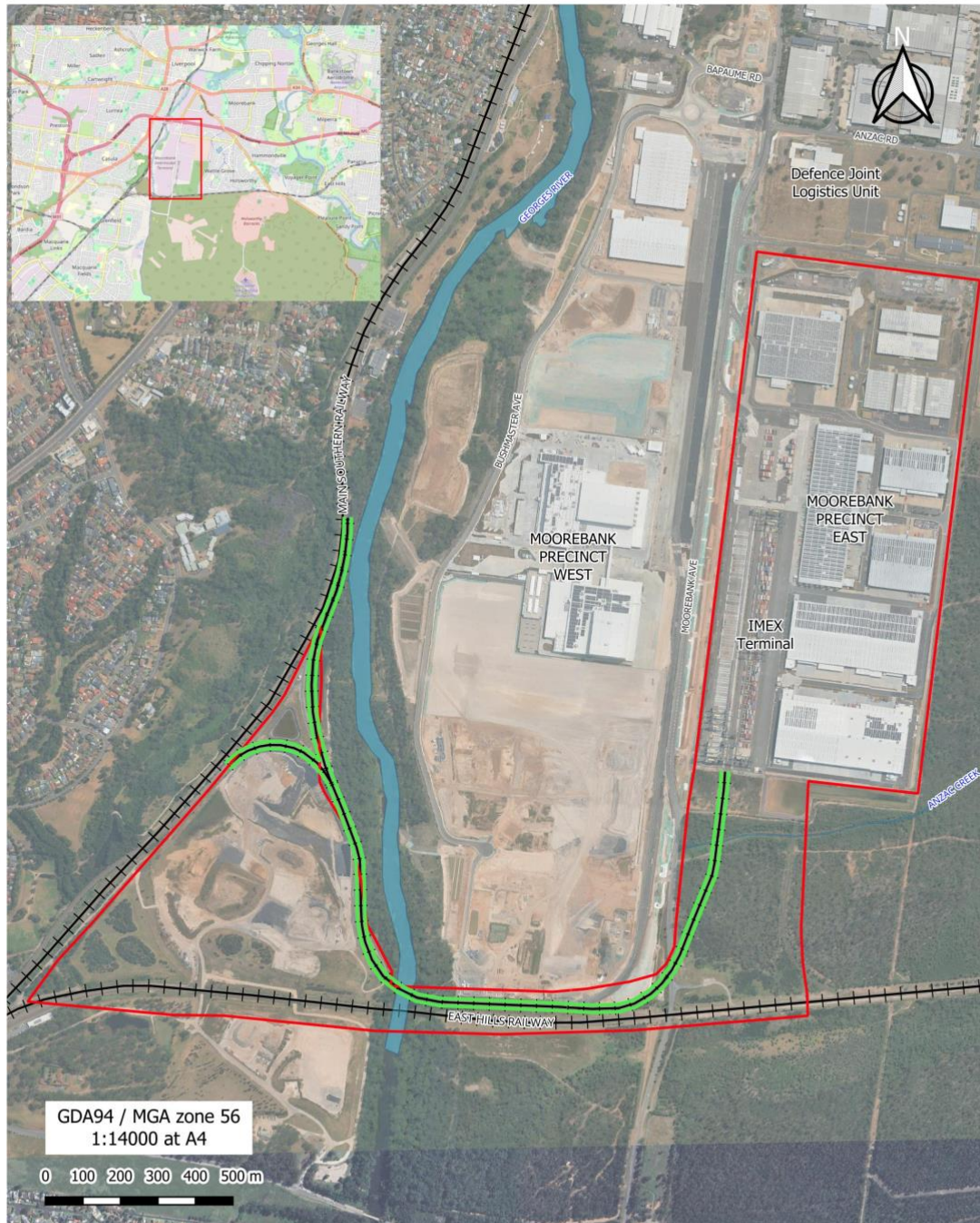
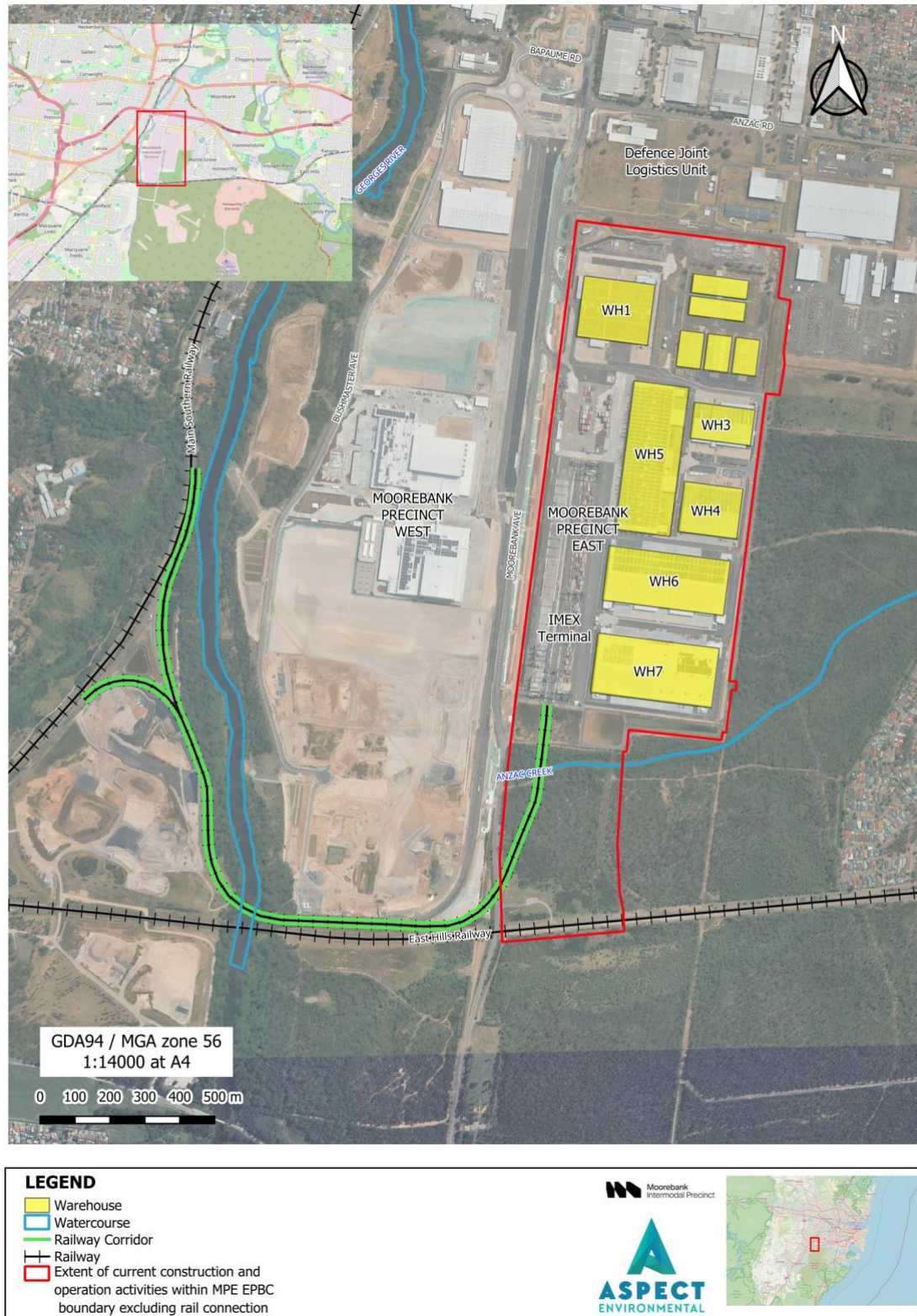


Figure 1-2 Current activities within EPBC 2011/6229 footprint



3. Scope of Reporting

The works that have been undertaken within the 23 June 2025 to 22 June 2026 reporting period are outlined below.

3.1. MITF Construction Activities

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

1. Electrical ring main number 2
2. OSD 2 Emergency overflow weir structure
3. OSD10 precast box culverts and stormwater drainage infrastructure
4. Removal of redundant communication cables and watermain
5. General waste and material movement for site handover
6. OSD and landscape maintenance.
7. Long term erosion and sediment control maintenance.
8. Rehabilitation works at the Disused Rail Spur commenced with removal of the former Defence rail track and the establishment of native vegetation.

3.2. MITF Operational Activities

The following operational activities have occurred during the reporting period:

- Movement and storage of containers in and out of the terminal via rail
- Truck processing, holding, and loading areas
- Primary and secondary container loading/ unloading areas
- Transfer of containers between terminal and warehouses via internal transfer vehicles
- Pickup and delivery of goods to warehouses via truck movements
- Warehouse 1, Warehouse 3, Warehouse 4, Warehouse 5, Warehouse 6a and 6b, and Warehouse 7a and 7b are occupied and operational
- Warehousing and Administrative Activities
- Security, maintenance and monitoring of all infrastructure and equipment related to the above activities.

4. Newly Identified Environmental Risks

No new environmental risks were identified during the reporting period.

5. Compliance Summary

5.1. Independent Audit, Potential Breach & Warning Letters

No independent audits against EPBC 2011/6229 were undertaken during the reporting period.

No breach notices or warning letters were issued by DCCEEW during the reporting period.

5.2. Non-compliances identified in the Reporting Period

No non-compliances were identified during the current reporting period.

6. Conclusion

This compliance report has been undertaken for the approved Action under EPBC 2011/6229 for the reporting period 23 June 2025 – 22 June 2026. At the completion of this compliance reporting period no non-compliances had been identified.

The Action has otherwise been determined as being undertaken in compliance with the relevant CoA of the EPBC 2011/6229 approval, as demonstrated in the compliance table located in Appendix C – Compliance Tracking Table

Appendix A – EPBC 2011/6229 Conditions of Approval



Approval

SIMTA Moorebank Intermodal Terminal Facility, Sydney, NSW (EBPC 2011/6229)

This decision is made under sections 130(1) and 133 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Proposed action

person to whom the approval is granted

Sydney Intermodal Terminal Alliance comprising:
Qube Holdings Limited (ACN: 149 723 053); and
Aurizon Holdings Limited (ACN: 146 335 622)

proposed action

To construct and operate the SIMTA Moorebank Intermodal Terminal Facility and associated rail infrastructure, including a rail link to the Southern Sydney Freight Line, approximately 27 km south-west of Sydney's CBD [See EPBC Act referral 2011/6229 and 'Notification of variation of proposal to take action' dated 13 November 2012].

Approval decision

Controlling Provision	Decision
Listed threatened species and communities (sections 18 & 18A)	Approved
Commonwealth land (sections 26 & 27A)	Approved

conditions of approval

This approval is subject to the conditions specified below.

expiry date of approval

This approval has effect until 28 February 2040.

Decision-maker

name and position

The Hon Greg Hunt MP
Minister for the Environment

signature

Conditions attached to the approval**Protection of EPBC flora and fauna & the environment on Commonwealth land**

1. For the better protection of the **GHFF**, the person taking the action must:
 - a) not clear more than 11 hectares of **GHFF foraging habitat**;
 - b) engage a suitably qualified expert to undertake a pre-clearance survey(s) to confirm the absence of GHFF roosting camps within the rail easement, no more than 48 hours prior to the clearance of potential **GHFF roosting habitat**; and
 - c) notify **the Department** in writing of the results of pre-clearance surveys.

If the **GHFF** is detected roosting on site, all **native vegetation clearance** activities must halt until the person taking the action has complied with any directions **the Minister** may wish to issue regarding timing of construction or methods for dispersal of the **GHFF**.

2. For the better protection of the **Macquarie Perch**, the person taking the action must:
 - a) engage a **suitably qualified expert** to design (or provide input on the design of) all crossings which are proposed to be implemented across Macquarie Perch habitat. Any such crossings must be of a suitable design that provides for the passage requirements of **Macquarie Perch**; and
 - b) implement all feasible and practicable measures that ensure sedimentation and / or erosion (as a result of the proposed action) do not lead to any further reductions in the water quality, or degradation of, **Macquarie Perch** habitat.
3. For the better protection of **Hibbertia sp. Bankstown**, the person taking the action must engage a **suitably qualified expert** to undertake a targeted search for individuals of **Hibbertia sp. Bankstown** within all areas of potential habitat during the species' flowering period.
4. For the better protection of **Bynoe's Wattle**, the person taking the action must engage a **suitably qualified expert** to undertake a field habitat assessment that targets the ecological requirements of **Bynoe's Wattle**, in all areas of Castlereagh Scribbly Gum Woodland likely to be cleared as a result of the proposed action. If the assessment determines there is potential for the species to occur on site, then a **suitably qualified expert** must undertake a targeted search for individuals of **Bynoe's Wattle** within all areas of potential habitat identified by the habitat assessment during the species' flowering period.

Flora and Fauna Management Plan

5. For the better protection of **EPBC listed flora** & the environment on Commonwealth land, the person taking the action must engage a **suitably qualified expert** to prepare a Flora and Fauna Management Plan (FFMP) for the approval of **the Minister**. The FFMP must include (but need not be limited to):
- a) details on the timing of **native vegetation clearance** works;
 - b) detailed maps of the rail link easement and construction zone showing:
 - i. permanent infrastructure and temporary works;
 - ii. no-go areas; and
 - iii. physical barriers used for the protection of native vegetation on Commonwealth land, and of EPBC Act listed **Nodding Geebung** and **Small-flower Grevillea**.
 - c) measures to minimise the extent of native vegetation clearing upon Commonwealth land and the clearing of **Nodding Geebung** and **Small-flower Grevillea**;
 - d) provisions to ensure no more than 17 individuals of **Nodding Geebung** and 634 **stems** of **Small-flower Grevillea** are cleared;
 - e) the results of targeted surveys for **Hibbertia sp. Bankstown** and **Bynoe's Wattle** (including the number of individuals recorded) and what measures will be implemented to avoid, mitigate and manage impacts to these species, if individuals are found on site;
 - f) measures which allow terrestrial fauna to disperse naturally ahead of clearing activities, and minimise the risk of injury to individuals;
 - g) actions to maintain or enhance the long-term viability of native vegetation adjoining the rail easement in particular, adjoining populations of **Nodding Geebung** and **Small-flower Grevillea**;
 - h) measures to safeguard flora and fauna from the threat of weeds, fire, pathogens and unauthorised access, including (but not limited to) the commitments outlined in section 7.4.1 of the **EIS** (and summarised at **Annexure A**);
 - i) ongoing monitoring to inform the adaptive management of native vegetation adjoining the rail easement.

Native vegetation clearance must not occur until the FFMP has been approved. The FFMP must be implemented once approved.

Threatened Flora Offset Management Plan

6. For the better protection of **Nodding Geebung**, **Small-flower Grevillea** (and potentially, **Hibbertia sp. Bankstown** and **Bynoe's Wattle** pending the outcome of conditions 3 and 4) the person taking the action must engage a **suitably qualified expert** to prepare a Threatened Flora Offset Management Plan (TFOMP) (or plans) for the approval of **the Minister**. The TFOMP must include (but need not be limited to):
- a) details of a **direct offset** that satisfies the requirements of **the Department's** offset policy, in accordance with the offset user guide (including timeframes for the delivery or acquisition of the **direct offset**);

- b) map(s) and **shapefiles** that identify the location and boundaries of the **direct offset**;
- c) details of the management actions and performance objectives which will maintain and enhance the **Nodding Geebung** and **Small-flower Grevillea** habitat and/or population covered by the TFOMP (including the duration, intensity, and timing of management actions);
- d) an assessment of the baseline population and distribution for **Nodding Geebung** and **Small-flower Grevillea** within the **direct offset**, including:
 - i. the number of plants protected and their location; and
 - ii. plant and habitat condition.
- e) measures for regular monitoring of the status of individuals of **Nodding Geebung** and **Small-flower Grevillea** and their habitat as measured against the baseline population and distribution, including:
 - i. fluctuations in population size and distribution; and
 - ii. response to disturbances and/or management actions.
- f) provisions to revise the approved TFOMP in response to monitoring associated with condition 6(e);

Native vegetation clearance must not occur until the TFOMP has been approved. The TFOMP must be implemented once approved.

Should the action result in, or be likely to result in, residual impacts to **Hibbertia sp.** **Bankstown** or **Bynoe's Wattle** (as determined by **the Minister**), the TFOMP must also demonstrate how it meets the standards described in (a) to (f), for these two species.

Construction Environment Management Plan

7. For the better protection of Commonwealth land, the person taking the action must engage a **suitably qualified expert(s)** to prepare a Construction Environment Management Plan (CEMP), for the approval of **the Minister**. The CEMP must include in relation to construction of the proposed facility:
 - a) details on the timing of construction works (accompanied by current and detailed maps);
 - b) identification and quantification of all potential impacts associated with noise, vibration, air quality, traffic, light spill, hydrological changes, contamination, and indigenous heritage (including cumulative impacts associated with the **DoFs** proposed intermodal) upon Commonwealth land. Consideration must be given to people and communities at **SME**, **DNSDC**, Defence housing, and the environment more generally in neighbouring bushland areas. Of note, the air quality assessment must quantify all emissions arising from air pollutant sources for which there are established national air quality standards;
 - c) the results of further investigations with regard to land contamination and indigenous heritage impacts (specifically, **PADs** two and three). If adverse impacts are identified, details on how such matters will be managed / mitigated must also be provided.

- Evidence of ongoing consultation with **RAPs** regarding further investigations for indigenous heritage objects/places must be provided;
- d) refined details (including implementation timeframes) for the mitigation measures outlined in the **EIS** (sections 7.4.2, 7.4.3, 7.4.6, 7.4.7, 7.4.8 and 7.4.9) and summarised at Annexure A;
 - e) a commitment to ensure no lights are installed above the height of 40 metres or, the maximum approved height of the intermodal warehouse buildings (whichever is less);
 - f) identification of the trigger values and criteria for all matters mentioned in condition 7(b) (excluding light spill, land contamination and indigenous heritage) that will be adopted for monitoring and managing potential impacts to Commonwealth land;
 - g) details of a comprehensive monitoring program (including locations, frequency and duration) for:
 - i. validating the anticipated impacts associated with condition 7(b); and
 - ii. determining the effectiveness of proposed mitigation/management measures;
 - h) provisions to revise the approved CEMP in response to monitoring associated with condition 7(g) including, details of response / contingency mechanisms to address any exceedances of the relevant trigger values;
 - i) evidence of consultation with **Defence** regarding the adequacy of proposed mitigation measures in particular, those measures to mitigate potential light spill impacts upon residential dwellings within **SME** outside of **standard construction hours**; and
 - j) details of a complaints handling procedure;

Commencement of the action may not occur until the CEMP has been approved. The CEMP must be implemented once approved.

Operation Environment Management Plan

8. For the better protection of Commonwealth land, the person taking the action must engage a **suitably qualified expert(s)** to prepare an Operation Environment Management Plan (OEMP) for the approval of **the Minister**. The OEMP must include in relation to operation of the proposed facility:
 - a) identification and quantification of all potential impacts associated with noise, vibration, air quality, traffic and light spill (including cumulative impacts associated with the **DoFs** proposed intermodal) upon Commonwealth land. Consideration must be given to people and communities at **SME**, **DNSDC**, Defence housing, and the environment more generally in neighbouring bushland areas. Of note, the air quality assessment must quantify all emissions arising from air pollutant sources for which there are established national air quality standards;
 - b) refined details (including implementation timeframes) for the mitigation measures outlined in the **EIS** (sections 7.4.2, 7.4.6, 7.4.7, 7.4.8 and 7.4.9) and summarised at Annexure A;

- c) refined details of how heavy vehicles entering and exiting the site will be processed, including information on access and circulation both into, and within, the intermodal facility grounds;
- d) measures to ensure no heavy vehicles entering or exiting the intermodal facility park, or wait, on Moorebank Avenue;
- e) identification of the trigger values and criteria for all matters mentioned in condition 8(b) (excluding light spill) that will be adopted for monitoring and managing potential impacts to those Commonwealth land;
- f) details of a comprehensive monitoring program (including locations, frequency and duration) for:
 - i. validating the anticipated impacts associated with condition 8(b); and
 - ii. determining the effectiveness of mitigation/management measures (including the success of public transport incentives);
- g) provisions to revise the approved OEMP in response to monitoring associated with condition 8(f) including, details of response / contingency mechanisms to address any exceedances of the relevant trigger values;
- h) evidence of consultation with **Defence** regarding the adequacy of proposed mitigation measures;
- i) details of a complaints handling procedure;

Commencement of operations may not occur until the OEMP has been approved. The OEMP must be implemented once approved.

9. For the better protection of Commonwealth land, the person taking the action must enter into a written agreement with **Defence** that specifies the use and ongoing maintenance of Moorebank Avenue. Prior to **commencement of the action** the person taking the action must provide a copy of that agreement to **the Department**.

Administrative conditions

10. Within one month after the **commencement of the action**, the person taking the action must advise **the Department** in writing of the actual date of commencement.
11. The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement any management plan or agreement required by this approval, and make them available upon request to **the Department**. Such records may be subject to audit by **the Department** or an independent auditor in accordance with section 458 of **the EPBC Act**, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on **the Department's** website. The results of audits may also be publicised through the general media.

12. Within three months of every 12 month anniversary of the **commencement of the action**, the person taking the action must publish a report (the Compliance Report) on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans or agreements as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to **the Department** at the same time as the Compliance Report is published. The person taking the action must continue to annually publish the Compliance Report until such time as agreed in writing by **the Minister**.
13. Upon the direction of **the Minister**, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to **the Minister**. The independent auditor must be approved by **the Minister** prior to the commencement of the audit. Audit criteria must be agreed to by **the Minister** and the audit report must address the criteria to the satisfaction **of the Minister**.
14. If the person taking the action wishes to carry out any activity otherwise than in accordance with any management plan as specified in the conditions, the person taking the action must submit to **the Department for the Minister's** written approval a revised version of that management plan. The varied activity shall not commence until **the Minister** has approved the varied management plan in writing. **The Minister** will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If **the Minister** approves the revised management plan, then that management plan must be implemented in place of the management plan originally approved.
15. If **the Minister** believes that it is necessary or convenient for the better protection of Listed Threatened species or the environment on Commonwealth land to do so, **the Minister** may request that the person taking the action make specified revisions to any management plan, as specified in the conditions and submit the revised management plan for **the Minister's** written approval. The person taking the action must comply with any such request. The revised approved management plan must be implemented. Unless **the Minister** has approved the revised management plan, then the person taking the action must continue to implement the management plan originally approved, as specified in the conditions.
16. If, at any time after five years from the date of this approval, the person taking the action has not **substantially commenced the action**, then the person taking the action must not **substantially commence the action** without the written agreement of **the Minister**.
17. Unless otherwise agreed to in writing by **the Minister**, the person taking the action must publish all management plans referred to in these conditions of approval on their website. Each management plan must be published on the website within one month of being approved.

Notes:

Management plans referred to in conditions 5 to 8 may be reorganised for administrative efficiency provided that all specified requirements are addressed and that each document is submitted with a clear description of the condition(s) it is intended to satisfy. For example, management plans may be further aggregated or disaggregated by construction stage, geographic area or management theme (including by 'species' in the case of condition 6). Where a plan is used to satisfy the requirements of both the State and the Commonwealth, that plan must clearly articulate where each of the Commonwealth's conditional criteria have been addressed within that plan.

Definitions:

Bynoe's Wattle means *Acacia bynoeana* as listed under **the EPBC Act**.

Commencement of the action means the construction of any infrastructure (excluding fences and signage) associated with the proposed action.

Commencement of operations means the handling / transportation / distribution of any freight associated with the proposed action.

Defence means the Department of Defence.

Direct offset is an area of habitat, individuals of a species, or some other tangible asset, that is protected in compensation for the loss of a corresponding area of habitat or individuals of a species with identified conservation value.

DNSDC means the Defence National Storage Distribution Centre.

DoF means the Department of Finance (formerly known as the Department of Finance and Deregulation).

EPBC listed flora means any flora species listed as threatened under **the EPBC Act**.

EIS means the Final Environmental Impact Statement for the action (dated October 2013).

GHFF means the Grey-headed Flying-fox (*Pteropus poliocephalus*) as listed under **the EPBC Act**.

GHFF foraging habitat includes *Corymbia maculate*, *Eucalyptus crebra*, and *Eucalyptus longifolia*.

GHFF roosting habitat includes Castlereagh Swamp Woodland.

***Hibbertia* sp. Bankstown** means *Hibbertia puberula* subsp. *glabrescens* as listed under the **EPBC Act**.

Macquarie Perch means *Macquaria australasica* as listed under **the EPBC Act**.

Native vegetation clearance includes the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of any native vegetation.

Nodding Geebung means *Persoonia nutans*, as listed under **the EPBC Act**.

PADs two and three mean the potential archaeological deposits as illustrated at Annexure B.

RAP means registered Aboriginal party.

Shapefiles mean an ESRI ArcGIS Shapefile, containing '.shp', '.shx.' and '.dbf' files and other files. Shapefiles must include appropriate metadata capturing attributes including but not limited to the EPBC reference number of the approved action and details of the EPBC protected matters present within the offset, covenant or legal protection details, including type and identification. **The Department** prefers shapefiles using the Geocentric Datum of Australia (GDA) 94.

Small-flower Grevillea means *Grevillea parviflora* subsp. *parviflora* as listed under **the EPBC Act**.

SME means the School of Military Engineering.

Standard construction hours occur between 07:00 to 18:00 Monday to Friday and 08:00 to 13:00 Saturday.

Stems include however many stems are attached to an individual plant, or rhizome.

Substantially commence(d) the action means the erection of any permanent infrastructure excluding signage and fences, associated with the action.

Suitably qualified expert means any individual with tertiary qualifications and/or a minimum of five years demonstrated experience relevant to the task in question.

The Department means the Australian Government Department responsibility for administering **the EPBC Act**.

The EPBC Act is the *Environment Protection and Biodiversity Conservation Act 1999*.

The Minister means the Minister administering the **EPBC Act** and includes a delegate of the Minister.

ANNEXURE A – Summary of Mitigation Measures

Issue	Proposed Mitigation
Flora and fauna	The Part 3A Guidelines for Threatened Species Assessment (DEC & DPI 2005) require the description and justification of measures to mitigate adverse effects arising from development proposals. Primary consideration should be given to measures to avoid or minimise impacts; where avoidance and mitigation are not possible, offset strategies may be considered as a last resort. The steps in the avoid, mitigate and offset approach are as follows: • Avoid areas of high biodiversity value wherever possible; • Mitigate actions and safeguard values identified for retention by prescribing appropriate controls; and • Compensate for or offset the removal of biodiversity values. Avoid • The identified ecological values should be avoided as far as practicable • The construction footprint of the SIMTA proposal and construction access requirements should be reduced as far as possible to minimise impacts. • Avoid Endangered Ecological communities where possible. • Avoid known locations of threatened flora species where possible. • Avoid important fauna habitat features such as large hollow bearing trees where possible. Mitigate • Install appropriate drainage infrastructure (e.g. sediment basins, diversion drains), sediment and erosion controls prior to the commencement of construction. • Clearing of vegetation is not to be undertaken during overland flow events. • Clearly identifying sensitive areas and areas for construction and managing clearing such that clearing activities are constrained to these approved areas only. • Locate soil or mulch stockpiles away from watercourses and key stormwater flow paths to limit potential transport of these substances into the watercourses via runoff. • Dust suppression activities to be undertaken where appropriate. • Stabilisation of disturbed areas, including revegetation in accordance with the VMP, is to be undertaken as soon as practicable after disturbance. • Emergency response protocols and procedures for implementation in the event of a contaminant spill or leak to be clearly articulated in the Construction Environmental Management Plan. • Spill kits to be located to allow for timely response to uncontained spills. Site inductions are to include a briefing on the use of spill kits. • Management of weeds in and adjacent to cleared areas will occur in accordance with a Weed Management Plan. This plan will include details relating to the monitoring, management and where necessary eradication of weeds, disposal of green waste, and vehicle/plant weed wash down protocols if required. • Management of noxious weeds are to be undertaken in accordance with the Noxious Weeds Act 1993. • Equipment used for treating weed infestation will be cleaned prior to moving to a new area within the project site to minimise the likelihood of transferring any plant material and soil. • Soil stripped and stockpiled from areas containing known weed infestations are to be stored separately and are not to be moved to areas free of weeds. • Fauna microhabitat such as logs should be removed from areas to be cleared and relocated to suitable nearby bushland areas in the presence of an ecologist. • Consider the installation of nest boxes in woodland vegetation in the rail corridor that may offer alternative nesting habitat to hollow dependent species recorded in the study area. • High visibility plastic fencing is to be installed to clearly define the limits of the works area to not further encroach on fauna habitat. • Undertake a pre-start up check for sheltering native fauna of all infrastructure, plant and equipment and/or during relocation of stored construction materials. • Undertake a two-stage approach to clearing: ○ Remove non-hollow bearing trees at least 48 hours before habitat trees are removed. ○ Hollow bearing trees are to be knocked with an excavator bucket or other

	machinery to encourage fauna to evacuate the tree immediately prior to felling. ○ Felled trees must be left for a short period of time on the ground to give any fauna trapped in the trees an opportunity to escape before further processing of the trees. ○ Felled hollow bearing trees must be inspected by an ecologist as soon as possible (not longer than 2 hours after felling). • Site inductions are to include a briefing regarding the local fauna of the site and identification of protocols to be undertaken if fauna are encountered. • If any pits/trenches are to remain open overnight, they are to be securely covered, if possible. Alternatively, fauna ramps (logs or wooden planks) are to be installed to provide an escape for trapped fauna. • Clearance of native vegetation should be minimised as far as is practicable. • Consider retention of some, or all, of the remnant scattered <i>E. sclerophylla</i> over patches of shrub and grass cover in the cleared grassland immediately south of the SIMTA site, in landscaping works. • The extent of, and limitations to, vegetation clearing would be clearly identified on construction plans. • Any additional construction areas, such as site offices, construction stockpile locations and machinery/equipment laydown areas are to be located, where possible, within existing cleared or disturbed areas. • Extent of clearing should be fenced with highly visible temporary fencing to minimise any extension of clearing beyond the area necessary. • A VMP should be prepared prior to construction, detailing restoration, regeneration and rehabilitation of areas of native vegetation in study area. The VMP should also detail appropriate management for the potential habitat of threatened plant species in the study area, including monitoring during and after construction works to ensure impacts are minimised. • As soon as possible rehabilitation will commence where possible. Management of land disturbed as a result of construction works will occur in accordance with a VMP. • High visibility plastic fencing is to be installed to clearly define the limits of the works area as to not further encroach on EEC and locations of threatened flora species. • Fencing is to be installed delineating threatened species habitat to be retained. Appropriate warning signage is to be installed along this fencing at regular intervals. Site inductions are to include a briefing on the presence of threatened species and its habitat, its significance and locations and extents of no-go zones. • Design and construction of rail crossings over Anzac Creek and Georges River to be in accordance with Fish Passage Requirements for Waterway Crossings (Fairfull and Witheridge 2003). • Minimise clearing and disturbance to the riparian zone where possible. • Install appropriate drainage infrastructure (e.g. sediment basins, diversion drains), sediment and erosion controls prior to the commencement of construction. • Construction disturbance areas will be clearly demarcated to avoid accidental clearing or stockpiling in riparian vegetation. • Landscaped zones to capture gross pollutants and oil and grits from pavement. These areas can be regularly maintained to remove rubbish and can be renewed on a regular basis. • Bio-retention installed in base of channels and swales proposed to capture and store stormwater. This will consist of bio-filtration layers, planting and subsoil collection and drainage. • Hot work not to be undertaken on declared total fire ban days. • Vehicles and plant should not block fire trails. • Bushfire awareness included in staff induction and in toolbox talks pre-commencement. • Directional lighting will be used where lighting is required in construction areas. • Frequent maintenance of construction machinery and plant will be undertaken to minimise unnecessary noise. • Dust suppression activities to be undertaken where appropriate. • Speed limits will be developed so as to minimise the potential for fauna to be struck by a vehicle within the SIMTA site. All vehicles and plant in operation on the SIMTA site are to adhere to site rules relating to speed limits.
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	• If an animal is injured, contact one of the following local wildlife rescue agency (e.g. WIRES) and/or veterinary surgery immediately • Until the animal can be cared for by a suitably qualified animal handler, if possible minimise stress to the animal and reduce the risk of further injury by: ○ Handling fauna with care and as little as possible. ○ Covering larger animals with a towel or blanket and placing in a large cardboard box. ○ Placing small animals in a cotton bag, tied at the top. • Keeping the animal in a quiet, warm, ventilated and dark • Weed infestations that are identified during the operation of the SIMTA proposal are to be managed in accordance with the removal methods outlined in the Weed Management Plan.
Noise	Construction A Construction Noise and Vibration Management Plan would be developed to implement best practice mitigation and management measures to minimise noise impacts on surrounding land uses and sensitive receivers, including Commonwealth Land during construction. The Construction Noise and Vibration Management plan would address the following noise issues: • <u>Construction hours</u>. All construction activities would have regard to the standard hours of 07:00 am to 18:00 pm Monday to Friday, and 08:00am to 13:00 pm Saturday (with approval from relevant authorities). Works outside these hours that may be permitted would include (Wilkinson Murray 2013): ○ Any works which do not cause noise emissions to be audible at any nearby sensitive receptors. ○ The delivery of materials which is required outside of these hours as requested by Police or other authorities for safety reasons. Local residents would be informed of the timing and duration of approved works in accordance with the SIMTA's notification provisions. ○ Emergency work to avoid the loss of lives, property and/or to prevent environmental harm. • Any other work as approved through the Construction Noise and Vibration Management Plan Process. • Training and awareness, which would include the following: ○ Site awareness training/environmental inductions to provide instruction on noise mitigation techniques/measures to be implemented during construction of the SIMTA proposal. ○ Working within approved hours. ○ Working with noisy equipment away from sensitive receivers. ○ Using noise screens and temporary barriers ○ Maintaining plant and equipment. ○ Turning off machinery when not in use. ○ Limiting the "clustering" of noisy plant / processes. ○ Communication, including a notification process to inform residents of respite times. ○ Incident and emergency response. ○ Non-conformance, preventative and corrective action procedures. • Selection of quiet plant and processes wherever feasible and retrofitting reversing alarms that are quieter and display less annoying characteristics. Such alarms could include "smart alarms" and "squawker alarms". Where appropriate, specific mitigation measures that may be considered would include: • Portable temporary screens to mitigate specific noise sources. • Respite periods (e.g. for extended periods of driven piling and use of rock breakers). • Consideration of offset distances, orientation and position of noisy plant away from sensitive receivers, including the SME and DNSDC operations. • Completion of loading and unloading activities away from sensitive receivers. • Use of spotters, closed circuit television monitors, "smart" reversing alarms, or "squawker" type reversing alarms in place of traditional reversing alarms. • The anticipated effectiveness of some noise mitigation techniques in reducing construction noise impacts are presented in Table 84. Ground borne vibration levels would be measured and monitored to establish the minimum

	working separation between the equipment and nearby vibration sensitive receivers and buildings that have the potential to be impacted when vibration-generating equipment is used during construction of the SIMTA proposal. Operation To reduce noise and vibration impacts of the SIMTA proposal during operation, the following recommendations as presented within Wilkinson Murray (2013) would be implemented: • SIMTA would make provisions for a potential noise barrier along the western boundary of the SIMTA site. The requirement for the barrier will be confirmed during detailed assessments at each development application stage for approval under the NSW State planning approval process. • Facilities such as administration buildings and employee carparks would be placed in locations to provide an increased buffer distance between the SIMTA site operations and sensitive receptors, i.e. the north-eastern corner and eastern portions of the site. • Buildings or structures with acoustic shielding potential will be placed near the north-east and south-east boundaries of the site to assist in noise attenuation of the SIMTA proposal.
Air	Construction A Construction Environmental Management Plan will be prepared prior to construction. This document will include provisions covering air quality management and mitigation, and will be implemented through good site environmental practice. <u>Dust Management</u> • Increasing the moisture content of the soil/surface to reduce emissions from site clearing, particularly during dry and windy conditions. • Modifying work practices during periods of adverse weather. • Limiting and staging clearing of designated footprint required for construction. • Completing rehabilitation as quickly as possible. • Minimising the number of stockpiles on-site and number of work faces on stockpiles. • Modifying work practices during periods of high winds. • Limiting and staging clearing of designated footprint required for construction. • Completing rehabilitation as quickly as possible. • Minimising the number of stockpiles on-site and number of work faces on stockpiles. • Use of water sprays for dusty activities such as ballast dumping and compacting. • Modify or cease demolition activities during periods of adverse weather (hot, dry and windy conditions). • Using water sprays with earthmoving equipment during road construction • Modifying work practices during periods of high winds and/or dry conditions by limiting scraper/grader activity. • Confining all on-site vehicles to a designated route and enforcing speed limits. • Modifying work practices during periods of high winds and/or dry conditions by engaging a water truck to spray travel routes. • Controlling and reducing trip frequency and distance by coordinating delivery and removal of materials to avoid unnecessary trips, where possible. • Cleaning dirt that has been tracked onto sealed roads as soon as practicable. Dirt track-out should be managed using shaker grids and/or wheel cleaning. Operation The following mitigations and compensatory measures will be undertaken, where feasible, to minimise potential impacts on local and regional air quality during operation of the SIMTA proposal: • Upgrade of rolling stock servicing the SIMTA site. • Use of electrically powered container handling equipment in lieu of diesel equipment. • Use of LPG forklifts in lieu of diesel forklifts. • Minimise truck movements through the efficient management of deliveries and dispatches. • Minimise truck idling and queuing on-site.

Visual Amenity	The visual amenity impact of the SIMTA proposal to the nearby residential receptors is anticipated to be low, however, the visual amenity impacts would be improved through implementing the following mitigation measures: • Optimising visual buffers within the land use layout of the SIMTA site. • Establishing high quality landscaping to reinforce the surrounding natural context and ecological qualities. • Installation of an 18 metre-wide screening vegetation corridor and bio-retention swale along the Moorebank Avenue, which will combine a selection of native tree species with dense tree canopy and low screen planting. • Punctuation of nodal points along Moorebank Avenue with appropriate landscaping. • Installation of a 'boundary treatment' or 'buffer zone' along the other site boundaries (from Moorebank Avenue), consisting of existing local species in the area and providing an essential scale of planting to complement the built form, including: ○ A southern boundary landscape corridor (between 10 and 20 metres wide) and bio-retention basin. ○ An eastern boundary buffer zone of 13.5 metres comprising a 2.5 metre landscape corridor, six metre internal light vehicle access road and five metre wide bioretention swale. ○ Tall (20 metres at maturity) trees planted along the cleared railway alignment, interspersed with medium trees. <u>Light spill</u> Further light spill assessment would be undertaken as part of subsequent stages of the development as well as ongoing monitoring of operational performance to analyse and describe the contribution and impacts of the development at the local scale and determine any potential impacts upon sensitive receptors. This performance analysis would build upon results of modelling undertaken as part of this and the Concept Plan assessment enabling results and refinements to be included for the construction of each stage. This modelling would include the use of reduced impact lighting poles that are anticipated to be much lower than modelled and not exceed the height of warehouses. Lighting of the SIMTA proposal will be designed to meet the requirements of the Australian Standards: • AS4282 1997 Control of the Obtrusive Effect of Outdoor Lighting. • AS1158.3.1 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.
Hydrology	The following mitigation measures will be adopted for the SIMTA proposal to mitigate potential impacts on hydrology, water quality and flooding resulting from construction and operation of the SIMTA proposal. • Rainwater tanks will be installed to collect roof water from the warehouses on the SIMTA site, and will be used for non-potable water demands such as toilet flushing and outdoor use. • Pre-treatment measures will be incorporated into the site stormwater design, including buffer strips and gross pollutant traps where deemed appropriate. • Bio-retention systems will be incorporated into the site stormwater design, including rain gardens and bioswales, where deemed appropriate. These structures will also act as on-site detention basins, minimising the velocity and volume of flows leaving the site during storm events. Bio-retention systems will be designed to achieve the pollution reduction targets set out in the Liverpool DCP. • On-site stormwater detention will be designed to achieve flood management in accordance with the flood modelling results outlined in the Flood Study and Stormwater Management report prepared by Hyder Consulting (Hyder Consulting, 2012a) and as updated within the Stormwater and Flooding Assessment (Hyder Consulting, 2012b). • The following design principles will be adopted during the design phase of the Georges River bridge: Bridge design will comply with the requirements of Australian Standard 5100:2004 - Bridge Design and RailCorp Engineering Standard ESC 310 - Underbridges. ○ Bridge piers will be located and orientated to align with the piers of the existing East Hills Railway Line bridge. ○ The bridge deck height will match the height of the existing East Hills Railway Line bridge ○ Bridge piers will be designed and orientated to avoid the formation of large-

- scale turbulence or the erosion of the bed and banks of the waterway.
- Light penetration under bridges to encourage fish passage will be maximised.
- Use and extent of those bed and bank erosion control measures that may reduce aquatic habitat values or inhibit the regrowth of natural in-stream and bank vegetation will be minimised.
- During construction of the Georges River bridge the following management approaches will be adopted:
 - Works across the bed of the Georges River will be staged to minimise the total disturbance at any given time and to allow the full bypassing of stream flows around the works to maintain fish passage.
 - The management principles outlined in Managing Urban Stormwater (Landcom 2004) for sites with high erosion potential will be implemented.
- The following design principles will be adopted for design and sizing of the culverts across Anzac Creek: Fish passage requirements will be considered when selecting the type of culvert.
 - Where practical, culverts will be aligned with the downstream channel to minimise bank erosion.
 - A multi-cell culvert design will be considered with a combination of elevated "dry" cells to encourage terrestrial movement, and recessed "wet" cells to facilitate fish passage.
 - Altering the channel's natural flow, width, roughness and base-flow water depth through the culvert's wet cells will be avoided where possible. Wet cells will aim to have a minimum water depth of 0.2-0.5 metres to facilitate fish passage.
 - The culvert will be designed to maximise the geometric similarities of the natural channel profile from the bed of the culvert up to a flow depth of 0.5 metres ("Low Flow Design") as a minimum.
 - Where conditions allow, the construction of pools will be considered at both the inlet and outlet of the culvert to assist in the dissipation of flow energy and to act as resting areas for migrating fish.
 - If a low-flow channel is constructed within the base slab of the culvert, the channel will extend across the inlet and outlet aprons.
 - Debris deflector walls may be used to reduce the impact of debris blockages on fish passage.
 - Rock protection and/or the formation of a stabilised energy dissipation pool at the outlet will be considered if necessary to assist in minimising erosion to avoid the formation of a perched culvert and damage to the stream bed and banks.
 - The design of the crossing will refer to the detailed engineering guidelines provided in Fairfull and Witheridge (2002).
- The following management measures will be implemented during works in and adjacent to Anzac Creek to mitigate potential impacts on water quality during construction:
 - All reasonable efforts will be taken to program construction activities during those periods when flood flows and fish passage is not likely to occur. As a minimum requirement, fish migrations and breeding periods, as advised by NSW DPI, will be avoided.
 - Temporary sidetrack crossings will be constructed from clean fill (free of fines) using pipe or box culvert cells to carry flows, or a temporary bridge structure.
 - All temporary works, flow diversion barriers and in-stream sediment control barriers will be removed as soon as practicable and in a manner that does not promote future channel erosion.
 - The construction site will be left in a condition that promotes native revegetation and shading of habitat pools.
 - The management principles outlined in Managing Urban Stormwater (Landcom 2004) for sites with high erosion potential will be implemented.
- A flood emergency response plan would be prepared and updated as necessary to address the staged development of the site.
- A Soil and Water Management Plan (SWMP) and Erosion and Sediment Control Plan (ESCP) will be implemented for the construction and operation phases of the development, with monitoring and review performance of sediment and water control structures during construction and operation phases. The SWMP and ESCPs will be developed in accordance with the principles and requirements of Managing Urban Stormwater (Landcom, 2004).

Stage 1A

- The DRAINS and TUFLOW modelling of Stage 1A indicate that the proposed

	drainage and OSD will provide adequate capacity to mitigate potential flood impacts of the Stage 1A development.
Traffic	Construction A Construction Traffic Management Plan (CTMP) will be implemented prior to and during construction of the SIMTA proposal. Construction material will be sourced from within metropolitan Sydney and delivered to the SIMTA site primarily via the M5 Motorway, Hume Highway, M7 Motorway and Moorebank Avenue. Site access and egress for all construction traffic will be via Moorebank Avenue. Construction site entry is proposed just south of the existing signalised intersection, south of Anzac Avenue to minimise construction traffic impacts upon DNSDC. During later stages of construction, a separate egress point would likely be established to the south of the SIMTA site. Operation Operation of the SIMTA proposal would be subject to an approved Traffic Management Plan which would include a Vehicle Booking System to regulate and manage truck arrivals to the SIMTA site and to prevent trucks queuing and waiting on Moorebank Avenue. The Traffic Management Plan will be developed to manage traffic flows in and around the SIMTA proposal and will include the following: • Management measures to control entry to the SIMTA site for the security of freight, and staff. This would include strategies to minimise unauthorised access to the SIMTA site. • Traffic management measures (e.g. a Vehicle Booking System) to control the arrival of authorized vehicles so that queuing is minimised and vehicles are directed to the correct location within the terminal. • Measures to control access of staff and visitors so as to maintain safety and appropriate security, particularly for bonded or quarantined material. • Measures such as short-range radios, GPS and wireless communications would be recommended to maximise the efficiency of access and circulation of vehicles, goods and staff within the SIMTA site. In addition to the stated Traffic Management Plan, all reasonable steps would be taken to encourage staff to use public transport, walk and cycle to reduce the dependence on travel to / from the SIMTA site by private motor vehicle. SIMTA would assess the feasibility of the provision of a peak-hour express shuttle bus service to and from Liverpool Station via Moorebank Avenue and Newbridge Roads, with a potential expansion to this route over time to include Holsworthy Railway Station. The combined impact of the bus and rail focused measures would be to achieve specific public transport usage increases as a result of the SIMTA proposal, above those applying across the Liverpool LGA at the present time. If a reasonable proportion of employees live within the region, then substantial trip reduction benefits could be achieved. A SIMTA employee public transport mode share of about 30 per cent is currently considered feasible, with a significant proportion of employees living locally. This would manifest through a 2-3 per cent increase in the walk mode share. In summary, measures to reduce private motor vehicle trips would include: • Development and implementation of a travel behaviour change program. • Reduce on-site car parking supply over-time (dependant on proportion of employees living locally and accessibility of public transport). • Consideration of the establishment of Holsworthy Station Express bus services. • Consideration of the establishment of Glenfield Station to Liverpool Station express bus. • Installation of a bus interchange and waiting area. • Bus priority works (establishment of designated bus lanes). • Design and construction of walking and cycleways. • Consideration of the extension of Bus Route 901. • Promote the establishment of Route 870, 871, and 872 bus <u>Road network upgrades</u> The broader sub-regional road network will need to be upgraded progressively over the period to 2031 to cater for the forecast increase in traffic volumes which will result from

both the SIMTA proposal and the general growth in population and employment traffic passing through the south-west of Sydney.

Capacity improvements are currently proposed by the NSW Roads and Maritime Service on the M5 South West Motorway (widening to three lanes each way between Camden Valley Way at Casula and King Georges Road at Beverley Hills with an upgrade of the M5 South currently ongoing).

Traffic studies conducted as part of the Concept Plan EA (Hyder Consulting, 2013c) identified some road capacity improvements that would be required to cater for the traffic demands from both background and additional traffic generated by the SIMTA proposal as a result of findings presented within Table 42. The study identified the following road network improvements that would be required by 2031 when the SIMTA proposal is operating at full capacity:

- Widening of Moorebank Avenue to four lanes between the M5 Motorway/Moorebank Avenue grade separated interchange and the northern access point to the SIMTA site.
- Some localized improvements would be required around the central and southern access points to the SIMTA site.
- Concurrent with four lane widening of Moorebank Avenue, the Moorebank Avenue/Anzac Road signal will require some widening at the approach roads.
- A new traffic signal at the northern access from the SIMTA site to Moorebank Avenue.
- The central access currently being used by DNSDC will be retained for SIMTA access.
- Potential upgrades at the M5 Motorway/Moorebank Avenue grade interchange to cater for both background and additional SIMTA traffic growth.
- Widening at the following ramp locations including:
 - M5 westbound off-ramp.
 - M5 westbound on-ramp.
 - M5 eastbound off-ramp.
 - Moorebank Avenue northern approach.
- These road network upgrades would be discussed and negotiated with RMS, potentially impacted stakeholders. Input from the community will also be sought.

ANNEXURE B – Potential Archaeological Deposits



Appendix B – EPBC 2011/6229 Variation to Approval Conditions



VARIATION OF CONDITIONS ATTACHED TO APPROVAL

Moorebank Intermodal Terminal Project, Sydney, NSW (EPBC 2011/6229)

This decision to vary conditions of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action

Approval holder**Name:**

Qube Holdings Limited (ACN: 149 723 053);
and
Logos MLP Development Management Pty Ltd (ACN: 649 469 778).

Approved action

To construct and operate the SIMTA Moorebank Intermodal Terminal Facility and associated rail infrastructure, including a rail link to the Southern Sydney Freight Line, approximately 27 km south-west of Sydney's CBD [See EPBC Act referral 2011/6229 and 'Notification of variation of proposal to take action' dated 13 November 2012].

Variation

Variation of conditions attached to approval

The variation is:

Delete condition 14 attached to the approval and substitute with the conditions specified in the table below.

Insert new conditions 14A, 14B, 14C, 14D and 14E as specified in the table below.

Insert new definition for **New or increased impact** and **Business day** as specified in the table below.

Date of effect

This variation has effect on the date this instrument is signed

Person authorised to make decision

Name and position

Kim Farrant
Assistant Secretary
Environment Assessments (Vic, Tas) and Post Approvals Branch

Signature**Date of decision**

27 June 2022

Date of decision	Conditions attached to approval
Original dated 06/03/2014	Protection of EPBC flora and fauna & the environment on Commonwealth land 1. For the better protection of the GHFF, the person taking the action must: - not clear more than 11 hectares of GHFF foraging habitat; - engage a suitably qualified expert to undertake a pre-clearance survey(s) to confirm the absence of GHFF roosting camps within the rail easement, no more than 48 hours prior to the clearance of potential GHFF roosting habitat; and - notify the Department in writing of the results of pre-clearance surveys. If the GHFF is detected roosting on site, all native vegetation clearance activities must halt until the person taking the action has complied with any directions the Minister may wish to issue regarding timing of construction or methods for dispersal of the GHFF.
Original dated 06/03/2014	2. For the better protection of the Macquarie Perch, the person taking the action must: - engage a suitably qualified expert to design (or provide input on the design of) all crossings which are proposed to be implemented across Macquarie Perch habitat. Any such crossings must be of a suitable design that provides for the passage requirements of Macquarie Perch; and - implement all feasible and practicable measures that ensure sedimentation and / or erosion (as a result of the proposed action) do not lead to any further reductions in the water quality, or degradation of, Macquarie Perch habitat.
Original dated 06/03/2014	3. For the better protection of Hibbertia sp. Bankstown, the person taking the action must engage a suitably qualified expert to undertake a targeted search for individuals of Hibbertia sp. Bankstown within all areas of potential habitat during the species' flowering period.
Original dated 06/03/2014	4. For the better protection of Bynoe's Wattle, the person taking the action must engage a suitably qualified expert to undertake a field habitat assessment that targets the ecological requirements of Bynoe's Wattle, in all areas of Castlereagh Scribbly Gum Woodland likely to be cleared as a result of the proposed action. If the assessment determines there is potential for the species to occur on site, then a suitably qualified expert must undertake a targeted search for individuals of Bynoe's Wattle within all areas of potential habitat identified by the habitat assessment during the species flowering period.
Original dated 06/03/2014	Flora and Fauna Management Plan 5. For the better protection of EPBC listed flora & the environment on Commonwealth land, the person taking the action must engage a suitably qualified expert to prepare a Flora and Fauna Management Plan (FFMP) for the approval of the Minister. The FFMP must include (but need not be limited to): - details on the timing of native vegetation clearance works; - detailed maps of the rail link easement and construction zone showing: - permanent infrastructure and temporary works; - no-go areas; and - physical barriers used for the protection of native vegetation on Commonwealth land, and of EPBC Act listed Nodding Geebung and Small-flower Grevillea. - measures to minimise the extent of native vegetation clearing upon Commonwealth land and the clearing of Nodding Geebung and Small-flower Grevillea; - provisions to ensure no more than 17 individuals of Nodding Geebung and 634 stems of Small-flower Grevillea are cleared; - the results of targeted surveys for Hibbertia sp. Bankstown and Bynoe's Wattle (including the number of individuals recorded) and what measures will be implemented to avoid, mitigate and manage impacts to these species, if individuals are found on site; - measures which allow terrestrial fauna to disperse naturally ahead of clearing activities, and minimise the risk of injury to individuals;

Date of decision	Conditions attached to approval
	g) actions to maintain or enhance the long-term viability of native vegetation adjoining the rail easement in particular, adjoining populations of Nodding Geebung and Small-flower Grevillea; h) measures to safeguard flora and fauna from the threat of weeds, fire, pathogens and unauthorised access, including (but not limited to) the commitments outlined in section 7.4.1 of the EIS (and summarised at Annexure A); i) ongoing monitoring to inform the adaptive management of native vegetation adjoining the rail easement. Native vegetation clearance must not occur until the FFMP has been approved. The FFMP must be implemented once approved.
Original dated 06/03/2014	Threatened Flora Offset Management Plan 6. For the better protection of Nodding Geebung, Small-flower Grevillea (and potentially, Hibbertia sp. Bankstown and Bynoe's Wattle pending the outcome of conditions 3 and 4) the person taking the action must engage a suitably qualified expert to prepare a Threatened Flora Offset Management Plan (TFOMP) (or plans) for the approval of the Minister. The TFOMP must include (but need not be limited to): a) details of a direct offset that satisfies the requirements of the Department's offset policy, in accordance with the offset user guide (including timeframes for the delivery or acquisition of the direct offset); b) map(s) and shapefiles that identify the location and boundaries of the direct offset; c) details of the management actions and performance objectives which will maintain and enhance the Nodding Geebung and Small-flower Grevillea habitat and/or population covered by the TFOMP (including the duration, intensity, and timing of management actions); d) an assessment of the baseline population and distribution for Nodding Geebung and Small-flower Grevillea within the direct offset, including: i. the number of plants protected and their location; and ii. plant and habitat condition. e) measures for regular monitoring of the status of individuals of Nodding Geebung and Small-flower Grevillea and their habitat as measured against the baseline population and distribution, including: i. fluctuations in population size and distribution; and ii. response to disturbances and/or management actions. f) provisions to revise the approved TFOMP in response to monitoring associated with condition 6(e); Native vegetation clearance must not occur until the TFOMP has been approved. The TFOMP must be implemented once approved. Should the action result in, or be likely to result in, residual impacts to Hibbertia sp. Bankstown or Bynoe's Wattle (as determined by the Minister), the TFOMP must also demonstrate how it meets the standards described in (a) to (f), for these two species.
Variation dated 19/08/2019	Construction Environment Management Plan 7. For the better protection of Commonwealth land, the person taking the action must engage a suitably qualified expert(s) to prepare a Construction Environment Management Plan (CEMP), for the approval of the Minister. The CEMP must include in relation to construction of the proposed facility: a) details on the timing of construction works (accompanied by current and detailed maps); b) identification and quantification of all potential impacts associated with noise, vibration, air quality, traffic, light spill, hydrological changes, contamination, and indigenous heritage (including cumulative impacts associated with the separately approved but related and adjacent intermodal terminal facility project, EPBC approval 2011/6086) upon Commonwealth land. Consideration

Date of decision	Conditions attached to approval
	must be given to people and communities at SME, DNSDC, Defence housing, and the environment more generally in neighbouring bushland areas. Of note, the air quality assessment must quantify <u>all</u> emissions of PM_{2.5} and PM₁₀ arising from project-related sources identified in the EIS; c) the results of further investigations with regard to land contamination and indigenous heritage impacts (specifically, PADs two and three). If adverse impacts are identified, details on how such matters will be managed / mitigated must also be provided. Evidence of ongoing consultation with RAPs regarding further investigations for indigenous heritage objects/places must be provided; d) refined details (including implementation timeframes) for the mitigation measures outlined in the EIS (sections 7.4.2, 7.4.3, 7.4.6, 7.4.7, 7.4.8 and 7.4.9) and summarised at Annexure A; e) a commitment to ensure no lights are installed above the height of 40 metres or, the maximum approved height of the intermodal warehouse buildings (whichever is less); f) identification of the trigger values and criteria for all matters mentioned in condition 7(b) (excluding light spill, land contamination and indigenous heritage) that will be adopted for monitoring and managing potential impacts to Commonwealth land; g) details of a comprehensive monitoring program (including locations, frequency and duration) for: i. validating the anticipated impacts associated with condition 7(b); and ii. determining the effectiveness of proposed mitigation/management measures; h) provisions to revise the approved CEMP in response to monitoring associated with condition 7(g) including, details of response / contingency mechanisms to address any exceedances of the relevant trigger values; i) evidence of consultation with Defence regarding the adequacy of proposed mitigation measures in particular, those measures to mitigate potential light spill impacts upon residential dwellings within SME outside of standard construction hours; and j) details of a complaints handling procedure. Commencement of the action may not occur until the CEMP has been approved. The CEMP must be implemented once approved.
Variation dated 19/08/2019	Operation Environment Management Plan 8. For the better protection of Commonwealth land, the person taking the action must engage a suitably qualified expert(s) to prepare an Operation Environment Management Plan (OEMP) for the approval of the Minister. The OEMP must include in relation to operation of the proposed facility: a) identification and quantification of all potential impacts associated with noise, vibration, air quality, traffic and light spill (including cumulative impacts associated with the separately approved but related and adjacent intermodal terminal facility project, EPBC approval 2011/6086) upon Commonwealth land. Consideration must be given to people and communities at SME, DNSDC, Defence housing, and the environment more generally in neighbouring bushland areas. Of note, the air quality assessment must quantify <u>all</u> emissions of carbon monoxide, nitrogen dioxide, PM_{2.5} and PM₁₀ arising from project-related sources identified in the EIS; b) refined details (including implementation timeframes) for the mitigation measures outlined in the EIS (sections 7.4.2, 7.4.6, 7.4.7, 7.4.8 and 7.4.9) and summarised at Annexure A; c) refined details of how heavy vehicles entering and exiting the site will be processed, including information on access and circulation both into, and within, the intermodal facility grounds; d) measures to ensure no heavy vehicles entering or exiting the intermodal facility park, or wait, on Moorebank Avenue;

Date of decision	Conditions attached to approval
	e) identification of the trigger values and criteria for all matters mentioned in condition 8(b) (excluding light spill) that will be adopted for monitoring and managing potential impacts to those Commonwealth land; f) details of a comprehensive monitoring program (including locations, frequency and duration) for: i. validating the anticipated impacts associated with condition 8(b); and ii. determining the effectiveness of mitigation/management measures (including the success of public transport incentives); g) provisions to revise the approved OEMP in response to monitoring associated with condition 8(f) including, details of response / contingency mechanisms to address any exceedances of the relevant trigger values; h) evidence of consultation with Defence regarding the adequacy of proposed mitigation measures; i) details of a complaints handling procedure; Commencement of operations may not occur until the OEMP has been approved. The OEMP must be implemented once approved.
Original dated 06/03/2014	9. For the better protection of Commonwealth land, the person taking the action must enter into a written agreement with Defence that specifies the use and ongoing maintenance of Moorebank Avenue. Prior to commencement of the action the person taking the action must provide a copy of that agreement to the Department .
Original dated 06/03/2014	Administrative conditions 10. Within one month after the commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement.
Original dated 06/03/2014	11. The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement any management plan or agreement required by this approval, and make them available upon request to the Department . Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act , or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.
Original dated 06/03/2014	12. Within three months of every 12 month anniversary of the commencement of the action , the person taking the action must publish a report (the Compliance Report) on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans or agreements as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the Compliance Report is published. The person taking the action must continue to annually publish the Compliance Report until such time as agreed in writing by the Minister .
Original dated 06/03/2014	13. Upon the direction of the Minister , the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister . The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister .
As varied on the date this instrument was signed	14. The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister under conditions 5, 6, 7 or 8, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act . If the Minister approves a revised plan under conditions 5, 6, 7 or 8, then from the date specified, the approval holder must implement the plans in place of the previous action management plan.

Date of decision	Conditions attached to approval
As varied on the date this instrument was signed	14A. The approval holder may choose to revise an action management plan approved by the Minister under conditions 5, 6, 7 or 8, or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the EPBC Act , if the taking of the action in accordance with the revised plans would not be likely to have a new or increased impact .
As varied on the date this instrument was signed	14B. If the approval holder makes the choice under condition 14A to revise an action management plan without submitting it for approval, the approval holder must: a) notify the Department in writing that the approved action management plan under conditions 5, 6, 7, or 8, have been revised, and provide the Department with: i. an electronic copy of the revised plans ii. an electronic copy of the revised plans marked up with track changes to show the differences between the approved action management plan and the revised plans iii. an explanation of the differences between the approved action management plan and the revised plans iv. the reasons the approval holder considers that taking the action in accordance with the revised plans would not be likely to have a new or increased impact v. written notice of the date on which the approval holder will implement the revised plans (revised plans implementation date), being at least 20 business days after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the Department. b) subject to condition 14D, implement the revised plans from the revised plans implementation date.
As varied on the date this instrument was signed	14C. The approval holder may revoke their choice to implement revised plans under condition 14A at any time by giving written notice to the Department . If the approval holder revokes the choice under condition 14A, the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 14A.
As varied on the date this instrument was signed	14D. If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the revised plans under conditions 5, 6, 7 or 8, would be likely to have a new or increased impact , then: a) condition 14A does not apply, or ceases to apply, in relation to the revised plans b) the approval holder must implement the action management plan specified by the Minister in the notice.
As varied on the date this instrument was signed	14E. At the time of giving the notice under condition 14D, the Minister may also notify that for a specified period of time, condition 14A does not apply for one or more specified action management plans. Note: conditions 14A, 14B, 14C, 14D are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised action management plan, at any time, to the Minister for approval.
Original dated 06/03/2014	15. If the Minister believes that it is necessary or convenient for the better protection of Listed Threatened species or the environment on Commonwealth land to do so, the Minister may request that the person taking the action make specified revisions to any management plan, as specified in the conditions and submit the revised management plan for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plan must be implemented. Unless the Minister has approved the revised management plan, then the person taking the action must continue to implement the management plan originally approved, as specified in the conditions.

Date of decision	Conditions attached to approval
Original dated 06/03/2014	16. If, at any time after five years from the date of this approval, the person taking the action has not substantially commenced the action , then the person taking the action must not substantially commence the action without the written agreement of the Minister .
Original dated 06/03/2014	17. Unless otherwise agreed to in writing by the Minister , the person taking the action must publish all management plans referred to in these conditions of approval on their website. Each management plan must be published on the website within one month of being approved.

Date of decision	Definitions attached to approval
Original dated 06/03/2014	Bynoe's Wattle means <i>Acacia bynoeana</i> as listed under the EPBC Act .
As varied on the date this instrument was signed	Business days means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.
Original dated 06/03/2014	Commencement of operations means the handling / transportation / distribution of any freight associated with the proposed action.
Original dated 06/03/2014	Commencement of the action means the construction of any infrastructure (excluding fences and signage) associated with the proposed action.
Original dated 06/03/2014	Defence means the Department of Defence.
Original dated 06/03/2014	Direct offset is an area of habitat, individuals of a species, or some other tangible asset, that is protected in compensation for the loss of a corresponding area of habitat or individuals of a species with identified conservation value.
Original dated 06/03/2014	DNSDC means the Defence National Storage Distribution Centre.
Original dated 06/03/2014	DoF means the Department of Finance (formerly known as the Department of Finance and Deregulation).
Original dated 06/03/2014	EIS means the Final Environmental Impact Statement for the action (dated October 2013).
Original dated 06/03/2014	EPBC listed flora means any flora species listed as threatened under the EPBC Act .
Original dated 06/03/2014	GHFF means the Grey-headed Flying-fox (<i>Pteropus poliocephalus</i>) as listed under the EPBC Act .
Original dated 06/03/2014	GHFF foraging habitat includes <i>Corymbia maculate</i> , <i>Eucalyptus crebra</i> , and <i>Eucalyptus longifolia</i> .
Original dated 06/03/2014	GHFF roosting habitat includes Castlereagh Swamp Woodland.
Original dated 06/03/2014	Hibbertia sp. Bankstown means <i>Hibbertia puberula</i> subsp. <i>glabrescens</i> as listed under the EPBC Act .
Original dated 06/03/2014	Macquarie Perch means <i>Macquaria australasica</i> as listed under the EPBC Act .
Original dated 06/03/2014	Native vegetation clearance includes the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of any native vegetation.
As varied on the date this instrument was signed	New or increased impact means a new or increased environmental impact or risk relating to any protected matter, when compared to the likely impact of implementing the action management plan that has been approved by the Minister under condition 5, 6, 7,

Date of decision	Definitions attached to approval
	or 8, including any subsequent revisions approved by the Minister , as outlined in the Guidance on 'New or Increased Impact' relating to changes to approved management plans under EPBC Act environmental approvals (2017).
Original dated 06/03/2014	Nodding Geebung means <i>Persoonia nutans</i> , as listed under the EPBC Act .
Original dated 06/03/2014	Notes: Management plans referred to in conditions 5 to 8 may be reorganised for administrative efficiency provided that all specified requirements are addressed and that each document is submitted with a clear description of the condition(s) it is intended to satisfy. For example, management plans may be further aggregated or disaggregated by construction stage, geographic area or management theme (including by 'species' in the case of condition 6). Where a plan is used to satisfy the requirements of both the State and the Commonwealth, that plan must clearly articulate where each of the Commonwealths conditional criteria have been addressed within that plan.
Original dated 06/03/2014	PADs two and three mean the potential archaeological deposits as illustrated at Annexure B.
Original dated 06/03/2014	RAP means registered Aboriginal party.
Original dated 06/03/2014	Shapefiles mean an ESRI ArcGIS Shapefile, containing '.shp', '.shx.' and '.dbf' files and other files. Shapefiles must include appropriate metadata capturing attributes including but not limited to the EPBC reference number of the approved action and details of the EPBC protected matters present within the offset, covenant or legal protection details, including type and identification. The Department prefers shapefiles using the Geocentric Datum of Australia (GDA) 94.
Original dated 06/03/2014	Small-flower Grevillea means <i>Grevillea parviflora subsp. parviflora</i> as listed under the EPBC Act .
Original dated 06/03/2014	SME means the School of Military Engineering.
Original dated 06/03/2014	Standard construction hours occur between 07:00 to 18:00 Monday to Friday and 08:00 to 13:00 Saturday. Stems include however many stems are attached to an individual plant, or rhizome.
Original dated 06/03/2014	Stems include however many stems are attached to an individual plant, or rhizome.
Original dated 06/03/2014	Substantially commence(d) the action means the erection of any permanent infrastructure excluding signage and fences, associated with the action.
Original dated 06/03/2014	Suitably qualified expert means any individual with tertiary qualifications and/or a minimum of five years demonstrated experience relevant to the task in question.
Original dated 06/03/2014	The Department means the Australian Government Department responsibility for administering the EPBC Act .
Original dated 06/03/2014	The EPBC Act is the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
Original dated 06/03/2014	The Minister means the Minister administering the EPBC Act and includes a delegate of the Minister.

Date of decision	<u>Annexure A</u>
Original dated 06/03/2014	Annexure A - Summary of Mitigation Measures
Original dated 06/03/2014	Annexure B - Map - Potential Archaeological Deposits

Appendix C – Compliance Tracking Table

Moorebank Intermodal Terminal Facility (EPBC 2011/6229)

Condition No.	Condition	Compliance Status	Evidence / Comments
1	For the better protection of the GHFF, the person taking the action must: a) not clear more than 11 hectares of GHFF foraging habitat;	Compliant	Approximately 9.88ha of GHFF habitat has been cleared on the MPE Site to date. No clearing of GHFF habitat has been undertaken during the reporting period.
	b) engage a suitably qualified expert to undertake a pre-clearance survey(s) to confirm the absence of GHFF roosting camps within the rail easement, no more than 48 hours prior to the clearance of potential GHFF roosting habitat; and	Compliant	No clearing of GHFF habitat has been undertaken during the reporting period. Pre-clearance surveys were previously undertaken by the Development ecologist in accordance with Section 5.1 of the MPE Stage 1 (IMEX) Construction Flora and Fauna Management Plan (CFFMP), Section 7.3 of the MPE Stage 1 (RALP) CFFMP and Appendix B of the MPE Stage 2 CFFMP.
	c) notify the Department in writing of the results of pre-clearance surveys. If the GHFF is detected roosting on site, all native vegetation clearance activities must halt until the person taking the action has complied with any directions the Minister may wish to issue regarding timing of construction or methods for dispersal of the GHFF.	Compliant	No clearing of GHFF habitat has been undertaken during the reporting period. No additional pre-clearance surveys have been required. No GHFF has been detected roosting on site.
2	For the better protection of the Macquarie Perch, the person taking the action must: a) engage a suitably qualified expert to design (or provide input on the design of) all crossings which are proposed to be implemented across Macquarie Perch habitat. Any such crossings must be of a suitable design that provides for the passage requirements of Macquarie Perch; and	Compliant	passage in line with this condition. It is noted that the Anzac Creek culvert has been designed to follow the natural shape of the channel and scour protection has been installed at the outlets to minimise erosion. Section 3.4 of the MPE S2 CFFMP further outlines sedimentation and erosion control measures for the avoidance of impacts to Macquarie Perch Habitat. Crossing construction across Macquarie Perch habitat is complete.
	b) implement all feasible and practicable measures that ensure sedimentation and / or erosion (as a result of the proposed action) do not lead to any further reductions in the water quality, or degradation of, Macquarie Perch habitat.	Compliant	A single causeway design was developed for instream works within Georges River, as detailed in the MPE Stage 1 project's design report for Georges River and the Project Specific Procedure for Georges River. The design maintains an 18 metre channel between the causeway and western river bank, so as to permit connectivity and passage for Macquarie Perch. The causeway has since been removed. The requirements of this condition are also included in the MPE Stage 1 (RALP) CFFMP as approved by DCCEE (then DotEE) on 24 May 2017 and the MPE Stage 1 (RALP) Construction Soil and Water Management Plan (CSWMP) as approved by DPHI (then DPIE) on 11 May 2017. Not applicable to the IMEX scope of works under MPE Stage 1 or the MPE Stage 2 scope of works. Macquarie Perch has not been found within the MPE Site boundary and there are no aquatic or riparian habitats present at the IMEX or MPE Stage 2 Site. Erosion and sediment control during construction is managed by the approved MPE Stage 1 (IMEX) CSWMP and approved MPE Stage 2 CSWMP in order to minimise impacts to the surrounding environment, including nearby Macquarie Perch habitat. Crossing construction across Macquarie Perch habitat is complete.
3	For the better protection of <i>Hibbertia</i> sp. Bankstown, the person taking the action must engage a suitably qualified expert to undertake a targeted search for individuals of <i>Hibbertia</i> sp. Bankstown within all areas of potential habitat during the species' flowering period.	Compliant	The MPE Stage 1 Biodiversity Assessment Report (BAR), prepared by Hyder Consulting (2015) and the revised Moorebank Project East Stage 1 Biodiversity Assessment Report, prepared by Arcadis (dated 3 October 2017) included targeted surveys for <i>Hibbertia</i> sp. Bankstown. The surveys did not record any results in the study area. The revised Moorebank Precinct East Stage 2 Biodiversity Assessment Report (BAR), prepared by Arcadis (dated 16 November 2017) identified that the presence of <i>Hibbertia</i> sp. Bankstown is unlikely to occur within the project footprint and no further action was required. The BAR and all targeted surveys were prepared and undertaken by suitably qualified ecologists from Arcadis.

Moorebank Intermodal Terminal Facility (EPBC 2011/6229)

Condition No.	Condition	Compliance Status	Evidence / Comments
4	For the better protection of Bynoe's Wattle, the person taking the action must engage a suitably qualified expert to undertake a field habitat assessment that targets the ecological requirements of Bynoe's Wattle, in all areas of Castlereagh Scribbly Gum Woodland likely to be cleared as a result of the proposed action. If the assessment determines there is potential for the species to occur on site, then a suitably qualified expert must undertake a targeted search for individuals of Bynoe's Wattle within all areas of potential habitat identified by the habitat assessment during the species' flowering period.	Compliant	The MPE Stage 1 Biodiversity Assessment Report (BAR), prepared by Hyder Consulting (2015) and the revised Moorebank Project East Stage 1 Biodiversity Assessment Report, prepared by Arcadis (dated 3 October 2017) included targeted surveys for Bynoe's Wattle. The surveys did not record any results in the study area. The revised Moorebank Precinct East Stage 2 Biodiversity Assessment Report (BAR), prepared by Arcadis (dated 16 November 2017) included targeted surveys for Bynoe's Wattle. The species was not found within the MPE Stage 2 Site during targeted surveys; however populations of the species were recorded to the south and east. The BAR and all targeted surveys were prepared and undertaken by suitably qualified ecologists from Arcadis.
	For the better protection of EPBC listed flora & the environment on Commonwealth land, the person taking the action must engage a suitably qualified expert to prepare a Flora and Fauna Management Plan (FFMP) for the approval of the Minister. The FFMP must include (but need not be limited to):	Compliant	The MPE Stage 1 (IMEX) CFFMP and MPE Stage 1 (RALP) CFFMP were prepared by suitably qualified experts and approved by a delegate of the Minister on the 24/05/2017. The revised CFFMPs (RALP: CPB, Rev 07, 21/05/2019 and IMEX: rev 18, dated 15 January 2025) are currently being implemented for MPE Stage 1 construction activities. The MPE Stage 2 CFFMP (Revision 10, 23/08/2019) was prepared by suitably qualified experts and approved by a delegate of the Minister on 27 September 2019 in accordance with this condition. The revised CFFMP (Rev18, dated 03 December 2024) is currently being implemented on site. The MPE OFFMP Revision 11 (20/03/2026) was prepared by suitably qualified experts. The revised OFFMP (rev 11, dated 10/03/2026) is currently being implemented on site.
	a) details on the timing of native vegetation clearance works;	Compliant	CoA requirement is included in the applicable flora and fauna management plans at the following locations; MPE S1 (IMEX): Section 5, Table 11 FF2.3 MPE S1 (RALP): Section 1.3 and 7.5 MPE S2 CFFMP: Section 3.4 MPE OFFMP: Section 3.2.2 (no clearing of vegetation will be undertaken during operational phase). There were no native vegetation clearance works during the reporting period. Native vegetation clearance for the development is complete.
	b) detailed maps of the rail link easement and construction zone showing: i. permanent infrastructure and temporary works; ii. no-go areas; and iii. physical barriers used for the protection of native vegetation on Commonwealth land, and of EPBC Act listed Nodding Geebung and Small-flower Grevillea.	Compliant	CoA requirement is included in the applicable flora and fauna management plans at the following locations; MPE S1 (IMEX): Figure 3-3, Figure 3-4, Table 11 FF2.1 and FF2.2 MPE S1 (RALP): Section 7.3, 7.4 and Attachment C: Ecology Sensitive Area and No-Go Zones MPE S2 CFFMP: NA MPE OFFMP: Section 3.1.4, Figure 3-1 and Figure 3-2.
	c) measures to minimise the extent of native vegetation clearing upon Commonwealth land and the clearing of Nodding Geebung and Small-flower Grevillea;	Compliant	CoA requirement is included in the applicable flora and fauna management plans at the following locations; MPE S1 (IMEX): Section 5.1 and Table 11 FF2.1 MPE S1 (RALP): Section 7.1, 7.3, 7.4, 7.5, 7.10 (Table 12) MPE S2 CFFMP: Section 3.4 and Appendix B: Clearing Protocol MPE OFFMP: Section 3.2.2.

Moorebank Intermodal Terminal Facility (EPBC 2011/6229)

Condition No.	Condition	Compliance Status	Evidence / Comments
5	d) provisions to ensure no more than 17 individuals of Nodding Geebung and 634 stems of Small-flower Grevillea are cleared;	Compliant	CoA requirement is included in the applicable flora and fauna management plans at the following locations; MPE S1 (IMEX): Section 5.1 and Table 11 FF2.1 and FF3.0 MPE S1 (RALP): Section 7.1, 7.3 and 7.4 MPE S2 CFFMP: Section 3.4, Table 3-12 and Appendix B: Clearing Protocol MPE OFFMP: Section 3.2.2, 3.3 and FF-18(b).
	e) the results of targeted surveys for Hibbertia sp. Bankstown and Bynoe's Wattle (including the number of individuals recorded) and what measures will be implemented to avoid, mitigate and manage impacts to these species, if individuals are found on site;	Compliant	CoA requirement is included in the applicable flora and fauna management plans at the following locations; MPE S1 (IMEX): Section 3.5, 5 and Table 11 FF7.3 MPE S1 (RALP): Section 5.2.1, 5.3, 7.3, 7.4 and 9.2 MPE S2 CFFMP: Section 3.1.1 and 3.3 MPE OFFMP: Section 3.1.1, 3.3 (FF-18(c) and FF-18(d)).
	f) measures which allow terrestrial fauna to disperse naturally ahead of clearing activities, and minimise the risk of injury to individuals	Compliant	CoA requirement is included in the applicable flora and fauna management plans at the following locations; MPE S1 (IMEX): Table 11 FF3.3 MPE S1 (RALP): Section 7.5 and 7.9 MPE S2 CFFMP: Section 3.3 and Appendix B MPE OFFMP: Section 3.2.2 (no clearing of vegetation will be undertaken during operational phase).
	g) actions to maintain or enhance the long-term viability of native vegetation adjoining the rail easement in particular, adjoining populations of Nodding Geebung and Small-flower Grevillea;	Compliant	CoA requirement is included in the applicable flora and fauna management plans at the following locations; MPE S1 (IMEX): NA MPE S1 (RALP): Section 7.10, Appendix C: Threatened Flora Species Management Plan (Response to Submissions) and Appendix J: Biodiversity Assessment Report MPE S2 CFFMP: NA MPE OFFMP: Section 3.3, Table 3-6, FF-17 to FF-19.
	h) measures to safeguard flora and fauna from the threat of weeds, fire, pathogens and unauthorised access, including (but not limited to) the commitments outlined in section 7.4.1 of the EIS (and summarised at Annexure A);	Compliant	CoA requirement is included in the applicable flora and fauna management plans at the following locations; MPE S1 (IMEX): Table 11 (FF1.2, FF2.1, FF3.3, FF3.5 and FF6.8) MPE S1 (RALP): Section 7.1, 7.10 Appendix C: Threatened Flora Species Management Plan (Response to Submissions) and Appendix J: Biodiversity Assessment Report MPE S2 CFFMP: NA MPE OFFMP: Appendix B and Section 3.3, Table 3-6, FF-01 to FF-19.
	i) ongoing monitoring to inform the adaptive management of native vegetation adjoining the rail easement. Native vegetation clearance must not occur until the FFMP has been approved. The FFMP must be implemented once approved	Compliant	CoA requirement is included in the applicable flora and fauna management plans at the following locations; MPE S1 (IMEX): NA MPE S1 (RALP): Section 8.4 MPE S2 CFFMP: NA MPE OFFMP: Section 4.1.1 (Table 4-2), Section 4.3 (Table 4-4) and Moorebank Precinct: Biodiversity Management Implementation Plan.
	For the better protection of Nodding Geebung, Small-flower Grevillea (and potentially, Hibbertia sp. Bankstown and Bynoe's Wattle pending the outcome of 3 and 4) the person taking the action must engage a suitably qualified expert to prepare a Threatened Flora Offset Management Plan (TFOMP) (or plans) for the approval of the Minister. The TFOMP must include (but need not be limited to):	Compliant	The TFOMP (Arcadis, Revision E, 28/07/2017) was prepared to address this CoA by suitably qualified experts and was approved by a delegate of the Minister on 29/08/2017. The revised TFOMP (revision G, dated 19/05/2020) is currently being implemented on site and was approved on 18/07/2020.
	a) details of a direct offset that satisfies the requirements of the Department's offset policy, in accordance with the offset user guide (including timeframes for the delivery or acquisition of the direct offset);	Compliant	CoA requirement is included at Section 4.1 and 5 of the TFOMP.
	b) map(s) and shapefiles that identify the location and boundaries of the direct offset;	Compliant	CoA requirement is included at Section 4 and Figure 4-3 of the TFOMP.

Moorebank Intermodal Terminal Facility (EPBC 2011/6229)

Condition No.	Condition	Compliance Status	Evidence / Comments
6	c) details of the management actions and performance objectives which will maintain and enhance the Nodding Geebung and Small-flower Grevillea habitat and/or population covered by the TFOMP (including the duration, intensity, and timing of management actions);	Compliant	CoA requirement is included at Section 5 of the TFOMP.
	d) an assessment of the baseline population and distribution for Nodding Geebung and Small-flower Grevillea within the direct offset, including: i. the number of plants protected and their location; and ii. plant and habitat condition.	Compliant	CoA requirement is included at Section 5 of the TFOMP.
	e) measures for regular monitoring of the status of individuals of Nodding Geebung and Small-flower Grevillea and their habitat as measured against the baseline population and distribution, including: i. fluctuations in population size and distribution; and ii. response to disturbances and/or management actions.	Compliant	CoA requirement is included at Section 6 of the TFOMP. The Threatened Flora Monitoring Report has been prepared to satisfy this CoA (Arcadis, 31/05/2026). The report identifies continued growth for the Nodding Geebung in population size and distribution, and the Small-flower Grevillea population has stabilised, and the distribution remains consistent with the greatest density in the north-west and south-west .
	f) provisions to revise the approved TFOMP in response to monitoring associated with condition 6(e); Native vegetation clearance must not occur until the TFOMP has been approved.	Compliant	CoA requirement is included at Section 6 of the TFOMP.
	The TFOMP must be implemented once approved.	Compliant	The revised TFOMP (revision G) is currently being implemented on site and was approved on 18/07/2020.
	Should the action result in, or be likely to result in, residual impacts to Hibbertia sp. Bankstown or Bynoe's Wattle (as determined by the Minister), the TFOMP must also demonstrate how it meets the standards described in (a) to (f), for these two species.	Compliant	Residual impacts have not been identified.
	For the better protection of Commonwealth land, the person taking the action must engage a suitably qualified expert(s) to prepare a Construction Environment Management Plan (CEMP), for the approval of the Minister. The CEMP must include in relation to construction of the proposed facility:	Compliant	The MPE Stage 1 (IMEX: Revision 06, 11/05/2017) and MPE Stage 1 (RALP: Revision K(00), 26/04/2017) CEMPs were prepared by suitably qualified persons approved by DotEE (now DCCEEW) on 24/05/2017. The revised CEMPs (IMEX: Revision 19, 02/12/2022 and RALP: Revision 06, 01/05/2019) are currently being implemented on site for MPE Stage 1 construction activities. The MPE Stage 2 CEMP (Revision 10, 24/10/2019) was approved by a delegate of the Minister on the 27/09/2019 as meeting the requirements of this CoA. The revised CEMP (Revision 18, 25/09/2023) is currently being implemented on site for MPE Stage 2 construction activities.
	a) details on the timing of construction works (accompanied by current and detailed maps);	Compliant	CoA requirement is included in the applicable construction environmental management plans at the following locations: MPE S1 IMEX: Section 2.4 MPE S1 RALP: Part A: Section 1.2, Figure 1, Section 1.3 and Part D: Appendix F MPE S2: Section 1.4.

Moorebank Intermodal Terminal Facility (EPBC 2011/6229)

Condition No.	Condition	Compliance Status	Evidence / Comments
7	b) identification and quantification of all potential impacts associated with noise, vibration, air quality, traffic, light spill, hydrological changes, contamination, and indigenous heritage (including cumulative impacts associated with the DoF's proposed intermodal) upon Commonwealth land. Consideration must be given to people and communities at SME, DNSDC, Defence housing, and the environment more generally in neighbouring bushland areas. Of note, the air quality assessment must quantify all emissions arising from air pollutant sources for which there are established national air quality standards;	Compliant	CoA requirement has been addressed within the following management plans/ subplans: MPE S1 IMEX The CEMP (revision 21, 15/01/2025) including Appendix CC: Light Spill Management. The following sub-plans have been prepared to further address the CoA Requirements: - MPE Stage 1 IMEX Construction Noise and Vibration Management Plan (Revision 17, 15/01/2025) is currently being implemented on site. - MPE Stage 1 Construction Air Quality Management Plan (Revision 14, 15/01/2025) is currently being implemented on site. - MPE Stage 1 IMEX Construction Traffic and Access Management Plan (Revision 16, 15/01/2025) is currently being implemented on site. - MPE Stage 1 IMEX Construction Soil and Water Management Plan (Revision 15, 15/01/2025) is currently being implemented on site. - MPE Stage 1 IMEX Contamination Management Plan (Revision 02, 16/02/2017) is currently being implemented on site. - MPE Stage 1 IMEX Construction Heritage Management Plan (Revision 15, 15/01/2025) is currently being implemented on site. - MPE Stage 1 IMEX Construction Flora and Fauna Management Plan (Revision 18, 15/01/2025) is currently being implemented on site. MPE S1 RALP Part A: Section 7.1 and 7.2, Part C: Section 9, Part D: Appendix D. The following sub-plans have been prepared to further address the CoA requirements: - MPE Stage 1 RALP Construction Noise and Vibration Management Plan (Revision 06, 28/03/2019) is currently being implemented on site. See specifically Sections 6, 7 & 8. - MPE Stage 1 Construction Air Quality Management Plan (Revision 06, 29/03/2010) is currently being implemented. See specifically Sections 5.4, 6.1, 7 and 8.1. - MPE Stage 1 RALP Construction Traffic and Access Management Plan (Revision 07, 08/01/2019) is currently being implemented on site. See specifically Sections 6, 7 & 8. - MPE Stage 1 RALP Construction Soil and Water Management Plan (Revision 06, 28/03/2019) is currently being implemented on site. See specifically Sections 6, 7 & 8. - MPE Stage 1 RALP Construction Heritage Management Plan (Revision 01, 30/11/2017) is currently being implemented on site. MPE S2 The CEMP (Revision 18, 25/09/2023) including Appendix P: Consideration of Light Spill - MPE Stage 2 Construction Noise and Vibration Management Plan (dated 6 August 2019), approved 27/09/2019. The revised CNVMP (Revision 17, 18/08/2022) is currently being implemented on site. - MPE Stage 2 Construction Air Quality Management Plan (dated 20 August 2019), approved 27/09/2019. The revised CAQMP (Revision 17, 18/08/2022) is currently being implemented on site. - MPE Stage 2 Construction Traffic and Access Management Plan - Phase B (dated 9 August 2019), approved 27/09/2019. The revised CTAMP (Revision 0, 18/08/2022) is currently being implemented on site. - MPE Stage 2 Construction Soil and Water Management Plan (dated 8 August 2019), approved 27/09/2019. The revised CSWMP (Revision 20, 25/09/2023) is currently being implemented on site. - MPE Stage 2 Contamination Management Plan (dated 26 September 2019, approved 27/09/2019. The revised CMP (Revision 11, 22/02/2022) is currently being implemented on site. - MPE Stage 2 Construction Heritage Management Plan (dated 5 August 2019), approved 27/09/2019. The revised CHMP (Revision 16, 18/08/2022) is currently being implemented on site. Note: The School of Military Engineering (SME) and Defence housing have been relocated off the MPW Site to the Holsworthy Barracks and are no longer sensitive receivers to the MPE Site. The DNSDC has been relocated to the DJLU, to the north of the MPE Site, and is listed as a sensitive receiver in aspect specific sub-plans.

Moorebank Intermodal Terminal Facility (EPBC 2011/6229)

Condition No.	Condition	Compliance Status	Evidence / Comments
	c) the results of further investigations with regard to land contamination and indigenous heritage impacts (specifically, PADs two and three). If adverse impacts are identified, details on how such matters will be managed / mitigated must also be provided. Evidence of ongoing consultation with RAPs regarding further investigations for indigenous heritage objects/places must be provided;	Compliant	CoA requirement is addressed within applicable management plans at the following locations: MPE S1 IMEX: Appendix B: CHMP and Appendix Y: CMP MPE S1 RALP: CEMP (Part C, Section 9), CHMP (Table 8, Section 3.1, Section 3.1.1, Attachment C: Stakeholder Consultation Responses, MA14 Salvage Strategy, Program and Report), Indigenous Heritage Salvage Strategy, CMP, Asbestos Management Plan, Remediation Action Plan MPE S2: CMP and CHMP.
	d) refined details (including implementation timeframes) for the mitigation measures outlined in the EIS (sections 7.4.2, 7.4.3, 7.4.6, 7.4.7, 7.4.8 and 7.4.9) and summarised at Annexure A;	Compliant	CoA requirement is addressed within applicable management plans at the following locations: MPE S1 IMEX: Within relevant subplans and Appendix EE: MPE Stage 1 Urban Design and Landscape Plan MPE S1 RALP: CEMP Part C Section 9, and Sections 7 and Appendix A of each sub-plan as relevant MPE S2: Within relevant sub-plans and MPE Stage 2 Urban Design and Landscape Plan.
	e) a commitment to ensure no lights are installed above the height of 40 metres or, the maximum approved height of the intermodal warehouse buildings (whichever is less);	Compliant	CoA requirement is addressed within applicable management plans at the following locations: MPE S1 IMEX: Appendix CC: Light Spill Management Plan and Appendix O: MPE Stage 1 Urban Design and Landscape Plan MPE S1 RALP: NA MPE S2: Appendix P: Consideration of Light Spill.
	f) identification of the trigger values and criteria for all matters mentioned in condition 7(b) (excluding light spill, land contamination and indigenous heritage) that will be adopted for monitoring and managing potential impacts to Commonwealth land;	Compliant	CoA requirement is addressed within applicable management plans at the following locations: MPE S1 IMEX: Within sub-plans as relevant. MPE S1 RALP: CEMP Part C Section 9, and Sections 7 & 8 and Appendix A of each sub-plan as relevant. MPE S2: Within sub-plans as relevant.
	g) details of a comprehensive monitoring program (including locations, frequency and duration) for:	Compliant	CoA requirement is addressed within applicable management plans at the following locations: MPE S1 IMEX: Within sub-plans as relevant and Appendix CC: Light Spill Management MPE S1 RALP: CEMP Part B: Element 3, 4, 11 and 12, and Part C Section 9 MPE S2: Within sub-plans as relevant and Appendix P: Consideration of Light Spill.
	i. validating the anticipated impacts associated with condition 7(b); and		
	ii. determining the effectiveness of proposed mitigation/management measures;		
	h) provisions to revise the approved CEMP in response to monitoring associated with condition 7(g) including, details of response / contingency mechanisms to address any exceedances of the relevant trigger values;	Compliant	CoA requirement is addressed within applicable management plans at the following locations: MPE S1 IMEX: Section 1.8 MPE S1 RALP: Part B, Element 12 and Section 8 of each sub-plan as relevant MPE S2: Section 1.3.7.
	i) evidence of consultation with Defence regarding the adequacy of proposed mitigation measures in particular, those measures to mitigate potential light spill impacts upon residential dwellings within SME outside of standard construction hours; and	Compliant	CoA requirement is addressed within applicable management plans at the following locations: MPE S1 IMEX: Section 1.5 and Appendix CC: Light Spill Management MPE S1 RALP: CEMP Part A Section 3.3, Part D Appendix G and Part D Appendix H MPE S2: Section 1.3.4 and Appendix P: Consideration of Light Spill. Note: The School of Military Engineering (SME) and Defence housing have been relocated off the MPW Site to the <u>Holsworthy Barracks and are no longer sensitive receivers to the MPE site.</u>
	j) details of a complaints handling procedure;	Compliant	CoA requirement is addressed within applicable management plans at the following locations: MPE S1 IMEX: Community Communication Strategy (Revision 11, 19/03/2021). MPE S1 RALP: CEMP Part B Element 6 and Element 9, and Community Communication Strategy (CPB, Revision 4, 01/11/2018). MPE S2: Community Communication Strategy (Revision 11, 19/03/2021).

Moorebank Intermodal Terminal Facility (EPBC 2011/6229)

Condition No.	Condition	Compliance Status	Evidence / Comments
	Commencement of the action may not occur until the CEMP has been approved. The CEMP must be implemented once approved.	Compliant	MPE Stage 1 works commenced outside the reporting period. The CEMPs for MPE Stage 1 (IMEX and RALP) were approved on 24/05/2017. MPE Stage 2 works commenced outside the reporting period. The CEMP for MPE Stage 2 was approved on 27/09/2019.
	For the better protection of Commonwealth land, the person taking the action must engage a suitably qualified expert(s) to prepare an Operation Environment Management Plan (OEMP) for the approval of the Minister. The OEMP must include in relation to operation of the proposed facility:	Compliant	The OEMP (revision 13, 17/09/2019) was prepared by suitably qualified experts and approved by a delegate of the Minister on 20/09/2021. The revised OEMP (revision 20, dated 1 March 2026) is currently being implemented on site.
	a) identification and quantification of all potential impacts associated with noise, vibration, air quality, traffic and light spill (including cumulative impacts associated with the DoF's proposed intermodal) upon Commonwealth land. Consideration must be given to people and communities at SME, DNSDC, Defence housing, and the environment more generally in neighbouring bushland areas. Of note, the air quality assessment must quantify all emissions arising from air pollutant sources for which there are established national air quality standards;	Compliant	Section 5.2.1, Appendix E, Appendix K and Appendix L of the OEMP. The following sub-plans have been included in the OEMP to further address the requirements of this CoA; - Moorebank Precinct East Operation Noise and Vibration Management Plan (Revision 8, 28/08/2019), approved 20/09/2019. The revised ONVMP (revision 15, 20/03/2026) is currently being implemented on site. See section 3. - Moorebank Precinct Operational Air Quality Management Plan (revision 9, 06/09/2019, approved on 20/09/2019, the revised POAQMP (revision 16, 16/01/2026) is currently being implemented on site. See section 3. - Moorebank Precinct East Operation Traffic and Access Management Plan (Revision 08, 28/08/2019), approved on 20/09/2019. The revised OTAMP (revision 16, 20/03/2026) is currently being implemented on site. See section 3. - Moorebank Precinct East Operation Community Communication Strategy (23/05/2019), approved on 20/09/2019. See section 3. The revised QCCS (revision 9, 19/12/2022) is currently being implemented on site.
	b) refined details (including implementation timeframes) for the mitigation measures outlined in the EIS (sections 7.4.2, 7.4.6, 7.4.7, 7.4.8 and 7.4.9) and summarised at Annexure A;	Compliant	CoA requirement is included in section 3 of relevant sub-plans.
	c) refined details of how heavy vehicles entering and exiting the site will be processed, including information on access and circulation both into, and within, the intermodal facility grounds;	Compliant	CoA requirement is included in Section 3.2 of the OTAMP.
	d) measures to ensure no heavy vehicles entering or exiting the intermodal facility park, or wait, on Moorebank Avenue;	Compliant	CoA requirement is included in Section 3.2 of the OTAMP.
8	e) identification of the trigger values and criteria for all matters mentioned in condition 8(b) (excluding light spill) that will be adopted for monitoring and managing potential impacts to those Commonwealth land;	Compliant	CoA requirement is included in Section 4.1.1 of relevant sub-plans.
	f) details of a comprehensive monitoring program (including locations, frequency and duration) for: i. validating the anticipated impacts associated with condition 8(b); and ii. determining the effectiveness of mitigation/management measures (including the success of public transport incentives);	Compliant	CoA requirement is included in Section 4.1 of relevant sub-plans.
	g) provisions to revise the approved OEMP in response to monitoring associated with condition 8(f) including, details of response / contingency mechanisms to address any exceedances of the relevant trigger values;	Compliant	CoA requirement is included in Section 5.2.1 and Table 6.1 of the OEMP, as well as Section 4 of relevant sub-plans.
	h) evidence of consultation with Defence regarding the adequacy of proposed mitigation measures;	Compliant	CoA requirement is included in Section 1.4, Table 1-1 and Appendix H of the OEMP.
	i) details of a complaints handling procedure;	Compliant	CoA requirement is included in Section 4.5 of the OEMP and the Community Communication Strategy.
	Commencement of operations may not occur until the OEMP has been approved. The OEMP must be implemented once approved.	Compliant	The OEMP (revision 13, 17/09/2019) was prepared by suitably qualified experts and approved by a delegate of the Minister on 20/09/2021. Operational activities under EPBC 2011/ 6229 commenced on the 17/05/2020.

Moorebank Intermodal Terminal Facility (EPBC 2011/6229)

Condition No.	Condition	Compliance Status	Evidence / Comments
9	For the better protection of Commonwealth land, the person taking the action must enter into a written agreement with Defence that specifies the use and ongoing maintenance of Moorebank Avenue. Prior to commencement of the action the person taking the action must provide a copy of that agreement to the Department.	Compliant	At the execution of Financial Close between the Moorebank Intermodal Company and Qube on 25 January 2017, Moorebank Ave (Lot 2 DP1197707) was transferred within the Commonwealth from Defence to MIC by way of a lease, and Qube has a 99 year lease with MIC under the Development and Operations Deed from the date of financial close. This agreement was provided to DotEE (via email) on 7 July 2017. Construction of the action commenced on the 22/06/2017.
10	Within one month after the commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement.	Compliant	The Department was notified (via email) of the commencement of construction on 22/07/2017. Construction of the action commenced on the 22/06/2017.
11	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement any management plan, strategy, or agreement required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	Compliant	Noted. No such audits were undertaken during the reporting period.
12	Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans or agreements as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.	Compliant	The following compliance reports have been undertaken for the action: The Moorebank Intermodal Terminal Facility Commonwealth Compliance Report (23 June 2017 - 22 June 2018) (dated 21 August 2018) was provided to DotEE. This report is currently available on the Development website. The Moorebank Intermodal Terminal Facility Commonwealth Compliance Report (23 June 2018 - 22 June 2019) (dated 5 September 2019) was provided to DotEE. This report is currently available on the Development website. The Moorebank Intermodal Terminal Facility Commonwealth Compliance Report (23 June 2019 - 22 June 2020) (dated 22 September 2020) was provided to DotEE. This report is currently available on the Development website. The Moorebank Intermodal Terminal Facility Commonwealth Compliance Report (23 June 2020 - 22 June 2021) (dated 27 September 2021) was provided to DCCEE. This report is currently available on the Development website. The Moorebank Intermodal Terminal Facility Commonwealth Compliance Report (23 June 2021 - 22 June 2022) (dated 19 September 2022) has been provided to DCCEE. This report is currently available on the Development website. The Moorebank Intermodal Terminal Facility Commonwealth Compliance Report (23 June 2022 - 22 June 2023) (dated 02/11/2023) has been provided to DCCEE. This report is currently available on the Development website. The Moorebank Intermodal Terminal Facility Commonwealth Compliance Report (23 June 2023 - 22 June 2024) (dated 18/09/2024) was submitted to DCCEE on 17 October 2024. The compliance report was not published prior to the 22/09/2024. This report is currently available on the Development website. The Moorebank Intermodal Terminal Facility Commonwealth Compliance Report (23 June 2024 - 22 June 2025) (dated 09/09/2025) was submitted to DCCEE on 15 September 2025. The compliance report was published prior to the 22/09/2025. This report is currently available on the Development website.

Moorebank Intermodal Terminal Facility (EPBC 2011/6229)

Condition No.	Condition	Compliance Status	Evidence / Comments
13	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	Not Applicable	No directions to undertake an independent audit have been received during the reporting period.
14	The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister under conditions 5, 6, 7 or 8, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised plan under conditions 5, 6, 7 or 8, then from the date specified, the approval holder must implement the plans in place of the previous action management plan.	Compliant	A variation to the conditions attached to approval 2011/6229 was approved on the 27/06/2022. The variation inserts CoA 14A - 14D as included below. No management plans have been submitted under CoA 14 or 14A. However, the latest updated management plans have been developed and submitted under MPE Stage 2 SSD 7628. Pending some minor edits upon request of the Commonwealth prior to lodgement.
14A	The approval holder may choose to revise an action management plan approved by the Minister under conditions 5, 6, 7 or 8, or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the revised plans would not be likely to have a new or increased impact.	Compliant	No management plans have been submitted under CoA 14 or 14A. However, the latest updated management plans have been developed and submitted under MPE Stage 2 SSD 7628. Pending some minor edits upon request of the Commonwealth prior to lodgement. Date of implementation will be provided once the Commonwealth have reviewed and approved the newly revised management plans.
14B	If the approval holder makes the choice under condition 14A to revise an action management plan without submitting it for approval, the approval holder must: a) notify the Department in writing that the approved action management plan under conditions 5, 6, 7, or 8, have been revised, and provide the Department with: i. an electronic copy of the revised plans ii. an electronic copy of the revised plans marked up with track changes to show the differences between the approved action management plan and the revised plans iii. an explanation of the differences between the approved action management plan and the revised plans iv. the reasons the approval holder considers that taking the action in accordance with the revised plans would not be likely to have a new or increased impact v. written notice of the date on which the approval holder will implement the revised plans (revised plans implementation date), being at least 20 business days after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the Department. b) subject to condition 14D, implement the revised plans from the revised plans implementation date.	Compliant	Written notification of the revised MPE Stage 2 CEMP suite was provided alongside the revised management plans to DCCEEW on the 24/02/2025 in accordance with CoA 14B. Written notification of the revised MPE Stage 1 CEMP suite was provided alongside the revised management plans to DCCEEW on the 07/03/2025 in accordance with CoA 14B. Written notification of the revised MPE OEMP suite was provided alongside the revised management plans to DCCEEW on the 25/06/2025 in accordance with CoA 14B.
14C	The approval holder may revoke their choice to implement revised plans under condition 14A at any time by giving written notice to the Department. If the approval holder revokes the choice under condition 14A, the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 14A.	Compliant	No notifications under CoA 14C have been required during the reporting period.
14D	If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the revised plans under conditions 5, 6, 7 or 8, would be likely to have a new or increased impact, then: a) condition 14A does not apply, or ceases to apply, in relation to the revised plans b) the approval holder must implement the action management plan specified by the Minister in the notice.	Not Applicable	No notices under CoA 14D have been received during the reporting period.

Moorebank Intermodal Terminal Facility (EPBC 2011/6229)

Condition No.	Condition	Compliance Status	Evidence / Comments
14E	At the time of giving the notice under condition 14D, the Minister may also notify that for a specified period of time, condition 14A does not apply for one or more specified action management plans. Note: conditions 14A, 14B, 14C, 14D are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised action management plan, at any time, to the Minister for approval.	Not Applicable	No notices under CoA 14E have been received during the reporting period.
15	If the Minister believes that it is necessary or convenient for the better protection of Listed Threatened species or the environment on Commonwealth land to do so, the Minister may request that the person taking the action make specified revisions to any management plan, as specified in the conditions and submit the revised management plan for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plan must be implemented. Unless the Minister has approved the revised management plan, then the person taking the action must continue to implement the management plan originally approved, as specified in the conditions.	Not Applicable	No requests have been received during the reporting period.
16	If, at any time after five years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.	Not Applicable	Construction of the approved action was commenced within five years of the date of the approval.
17	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all management plans referred to in these conditions of approval on their website. Each management plan must be published on the website within one month of being approved.	Compliant	Management plans are available on the development website: https://moorebankintermodalprecinct.com.au/precincts/Moorebank-precinct-east/ .