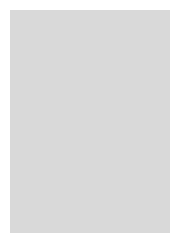


Independent Environmental Compliance Audit

SIMTA Moorebank Precinct East (MPE) Stage 1 – Import Export Terminal (IMEX No 1)

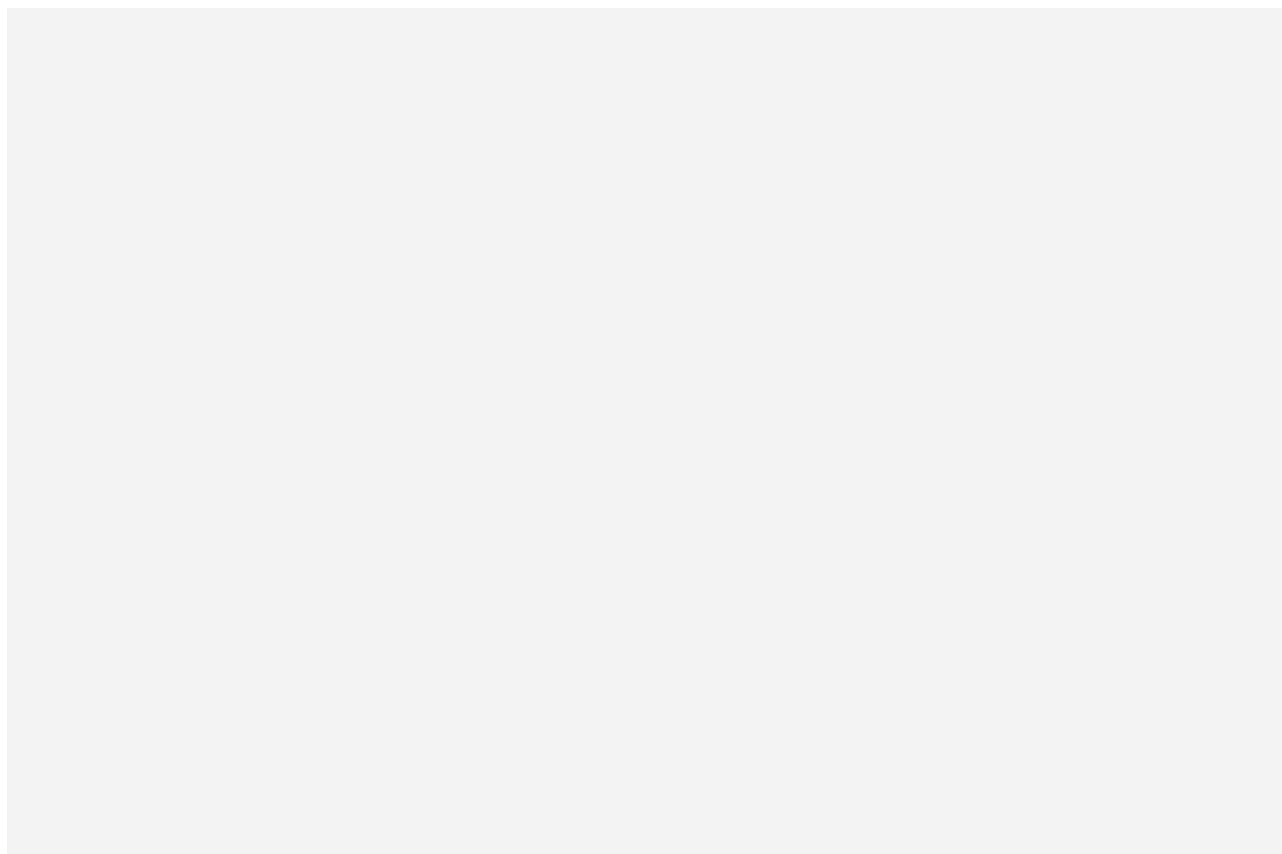
November 2019



 **wolfpeak**

Document History

Revision	Date	Prepared By	Reviewed By	Description
V0	10/01/2020	RC	DL	For issue
V1	17/01/2020	DL	-	Final



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Cover photo: Manual handling rail corridor at IMEX under construction. Photo taken 21/11/19.

Executive Summary

Stage 1 of the Moorebank Precinct East (MPE) Project was granted approval on 12 December 2016 (State Significant Development 6766), subject to a number of Conditions of Consent (CoC). The CoCs have been modified on one occasion as a result of a Land and Environment Court Order, dated 13 March 2018. The Stage 1 MPE Project comprises two packages; the Rail Access and Land Package (RALP) and the Import Export Terminal Package (IMEX).

The purpose of this audit was to undertake a review of the IMEX works to verify compliance with the CoCs, and to assess the effectiveness of implementation of environmental management and mitigation measures as set out in the Construction Environmental Management Plan (CEMP) and sub-plans. The audit of the RALP is presented in a separate audit report.

This audit was carried out in accordance with the independent environmental audit program required under CoC C4(d) and Section 2.4 of the IMEX Compliance Tracking Program. Construction on IMEX No 1 commenced on 23 June 2017. This audit represents the fifth six-monthly independent environmental audit for the construction period, covering the period of 29 June 2019 to 21 November 2019. The on-site component of the audit was carried out on 21 November 2019.

The works on IMEX are well advanced with the administration facility essentially complete, and the majority of works associated with asphaltting for the rail loading and container storage areas completed. Rail is being installed on the manual handling side of the IMEX terminal. Gantry trains are to be installed shortly.

The overall outcome of the audit was positive. Compliance records were available at the time of the site inspection and interview with SIMTA's personnel on 21 November 2019.

There was one non-compliance identified against the CoC. CoC G9 states that the transfer of containers between Port Botany and the IMEX terminal must not commence until the rail connection to the Southern Sydney Freight Line (SSFL) is operational. The Auditees acknowledged that containers have been transported by rail between the IMEX terminal and Port Botany as part of commissioning works.

There were two observations made in relation to the CoCs and the CCS. These related to the information presented in different versions of the complaints register, and access to communications materials in languages other than English.

Detailed findings are presented in Section 2. Actions proposed by the Project team to address the findings of this audit and any previously open audit findings are set out in Section 4. The audit tables, presenting each requirement, evidence sighted and the finding for each requirement, are presented in Appendices A and B.

The overall outcome of the audit was indicative of a high level of compliance and environmental performance by SIMTA and its principal civil contractor (Fulton Hogan) in carrying out the construction of the IMEX No 1 site.

The auditor would like to thank the auditees (representing SIMTA and Fulton Hogan) for their high level of organisation, cooperation and assistance during the audit.

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1.0 Introduction

1.1 The works

The Sydney Intermodal Terminal Alliance (SIMTA) is currently developing an intermodal facility, referred to as the Moorebank Precinct East (MPE) Project. The MPE Project includes a warehouse and distribution facilities, freight village, rail link and ancillary works such as vegetation clearing and landscaping, remediation, earthworks, road tie-ins, utilities installation/connection and signage.

The site is located on the eastern side of Moorebank Avenue, Moorebank, within the Liverpool City Council Local Government Area, approximately 27 kilometres south-west of the Sydney Central Business District. The locality of the project is presented in Figure 1.

The MPE Project will be developed in three stages:

- Stage 1 – Construction of the inter-model facility, comprising
 - Rail Access Land Package (RALP) (Package 1) and
 - Import Export (IMEX No 1) Terminal (Package 2)
- Stage 2 – Construction of warehouse and distribution facilities
- Stage 3 – Extension of the IMT and completion of warehouse and distribution facilities.

This audit focuses on the IMEX No 1 within the MPE Stage 1 Project. The IMEX No 1 includes the following key works:

- Truck processing, holding and loading areas – entrance and exit from Moorebank Avenue
- Rail loading and container storage areas – installation of four rail sidings with adjacent container storage area serviced by manual handling equipment initially and overhead gantry cranes progressively
- Administration facility and associated car parking – light vehicle access from Moorebank Avenue.

The RALP works are the subject of a separate audit report.

The general overview of the IMEX No 1 and MPE Stage 1 Project is presented in Figure 2.

The works are well advanced with the administration facility essentially complete, and the majority of works associated with asphaltting for the rail loading and container storage areas completed. Rail is being installed on the manual handling side of the IMEX terminal. Gantry trains are to be installed shortly.

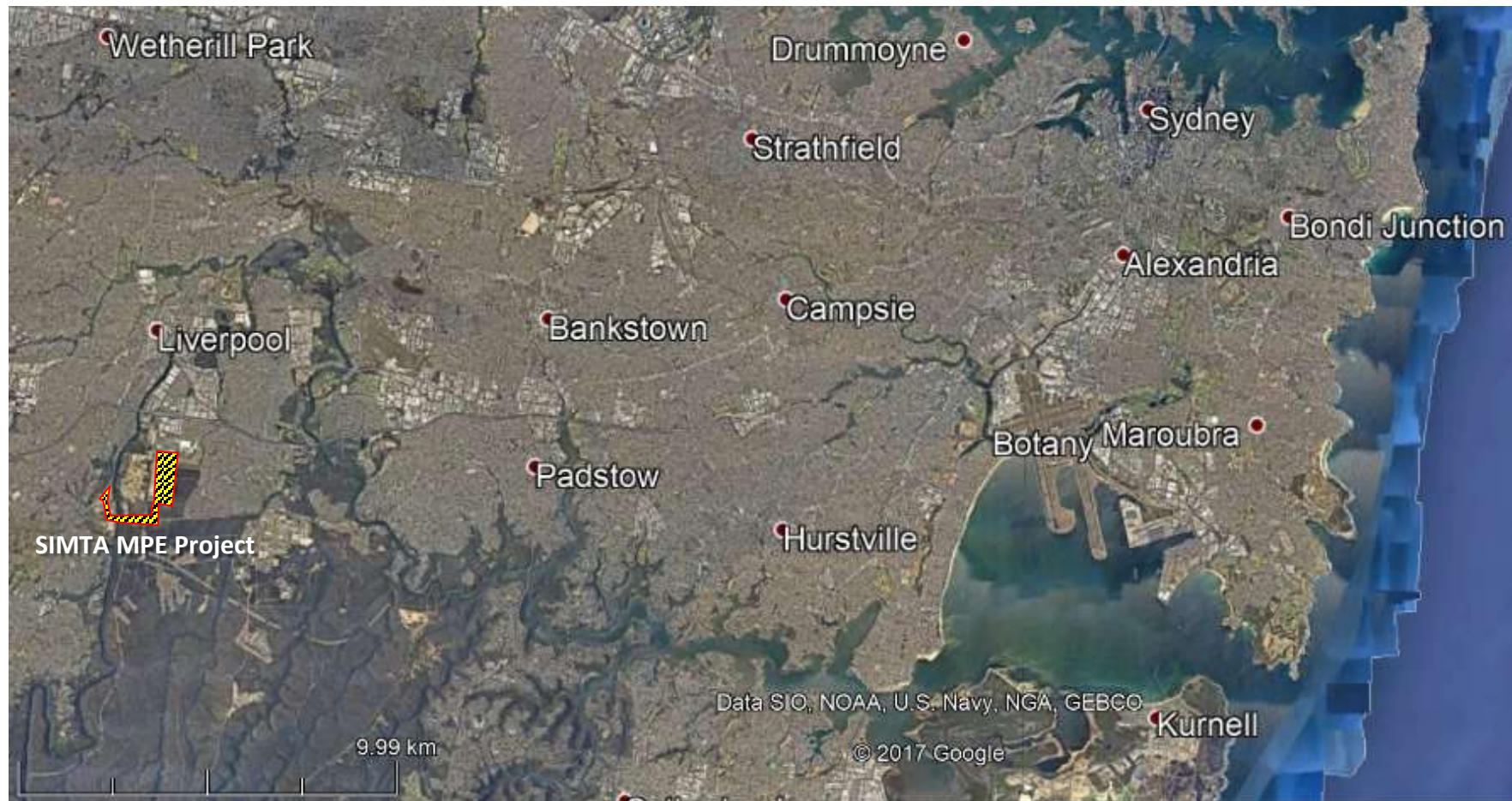


Figure 1: Locality of SIMTA MPE Project.



Figure 2: IMEX No 1 and MPE Stage 1 Project Overview (source: Arcadis)

1.2 Approval requirements

Approval for the Stage 1 of the MPE Project was granted by the Planning Assessment Commission on 12 December 2016, pursuant to section 89(E) of the *Environmental Planning and Assessment Act 1979* (SSD 6766). Approval was granted subject to a number of Conditions of Consent (CoC). The CoC were updated on 13 March 2018 following a court appeal. This audit is being carried out in order to satisfy the requirements set out in CoC C4 (d).

CoC C4 – Compliance Monitoring and Tracking requires that:

The Applicant shall prepare and implement a Compliance Tracking Program, to track compliance with the requirements of this approval. The Program shall be submitted to the Secretary for approval prior to the commencement of construction and operate for the duration of construction.

The Program shall include, but not be limited to:

- a) provision for the notification to the Secretary prior to the commencement of construction;*
- b) provision for periodic review of the compliance status of the SSD against the requirements of this approval;*
- c) provision for periodic reporting of compliance status to the Secretary, including but not limited to:
 - i. a Pre-Construction Compliance Report prior to the commencement of construction,*
 - ii. Six-monthly, or other timing as agreed by the Secretary, Construction Compliance Reports, for the duration of construction, and*
 - iii. a Completion Compliance Report within one month of completion of the construction;**
- d) a program for independent environmental auditing in accordance with AS/NZS ISO 19011:2014 - Guidelines for Auditing Management Systems;**
- e) mechanisms for recording environmental incidents during construction and actions taken in response to those incidents;*
- f) provision for reporting environmental incidents to the Secretary during construction, in accordance with conditions C6 and C7 [refer observation in relation to this requirement];*
- g) procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management; and*
- h) provision for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.*

A Compliance Tracking Program was developed and submitted to the Department of Planning and Environment (now Department of Planning Industry and Environment, or DPIE) on 27 February 2017, with approval granted on 4 May 2017. Section 2.4 of the Compliance Tracking Program, addressing CoC C4 (d), specifies that independent environmental audits will be undertaken in accordance with AS/NZS ISO 19011:2014 - Guidelines for Auditing Management Systems at six-month intervals throughout construction.

Construction on the IMEX No 1 site commenced on 23 June 2017. This audit represents the fifth six-monthly independent environmental audit for the construction period.

On 23 March 2019, Qube Property Management Services on behalf of SIMTA requested approval for staged submission of operation documents under CoC A14 and A15, via a Program for Phased Operational Delivery. On 21 May 2019, this approval was granted by the delegate of the Planning Secretary.

A number of operational management plans and sub-plans have now been approved.

On 5 July 2019, approval was granted for the Operational Community Communication Strategy (Rev 003, 23 May 2019).

On 16 August 2019, approval was also granted for the following documents:

- Container Noise Barrier Management Plan-F5A (Rev 04, 19 June 2019);
- Best Practice Wagon Report) (Rev 09, 16 July 2019) (subject to certain updates being made prior to its implementation)
- Angle of Attack and Rail Noise Monitoring System – G7, G7A (Rev 06, 16 July 2019) (also subject to certain updates being made prior to its implementation).

On 9 September 2019, the following operational plans and sub-plans relevant to the Project (SSD 6766) were approved:

- Operational Environmental Management Plan (Rev 10, 30 July 2019);
- Stormwater Infrastructure Operations and Maintenance Plan (Rev 5, 13 August 2019);
- Operational Air Quality Management Plan (Rev 6, 28 June 2019);
- Heritage Interpretation Plan (Rev 4, 27 June 2019);
- Operational Noise and Vibration Management Plan (Rev 7, 13 August 2019);
- Operational Flora and Fauna Management Plan (Rev 5, 17 June 2019); and
- Operational Waste and Resources Management Plan (Rev 8, 11 July 2019).

1.3 Purpose and scope

The purpose of this audit was to undertake the review of SIMTA and its contractors' (primarily its principal civil contractor – Fulton Hogan) works on the IMEX No 1 site to verify compliance with the CoC and assess the effectiveness of environmental management and mitigation works.

The scope of this audit included a detailed assessment of IMEX No 1 construction works against applicable CoC.

This audit does not include assessment of operational phase CoC, as these works have yet to commence; nor does it include assessment of the RALP project, as this is presented in a separate audit report.

1.4 Methodology

This audit was conducted in accordance with *AS/NZS ISO 19011:2014 – Guidelines for Auditing Management Systems*. An overview of the audit activities, as specified in the standard, is presented in Figure 3.

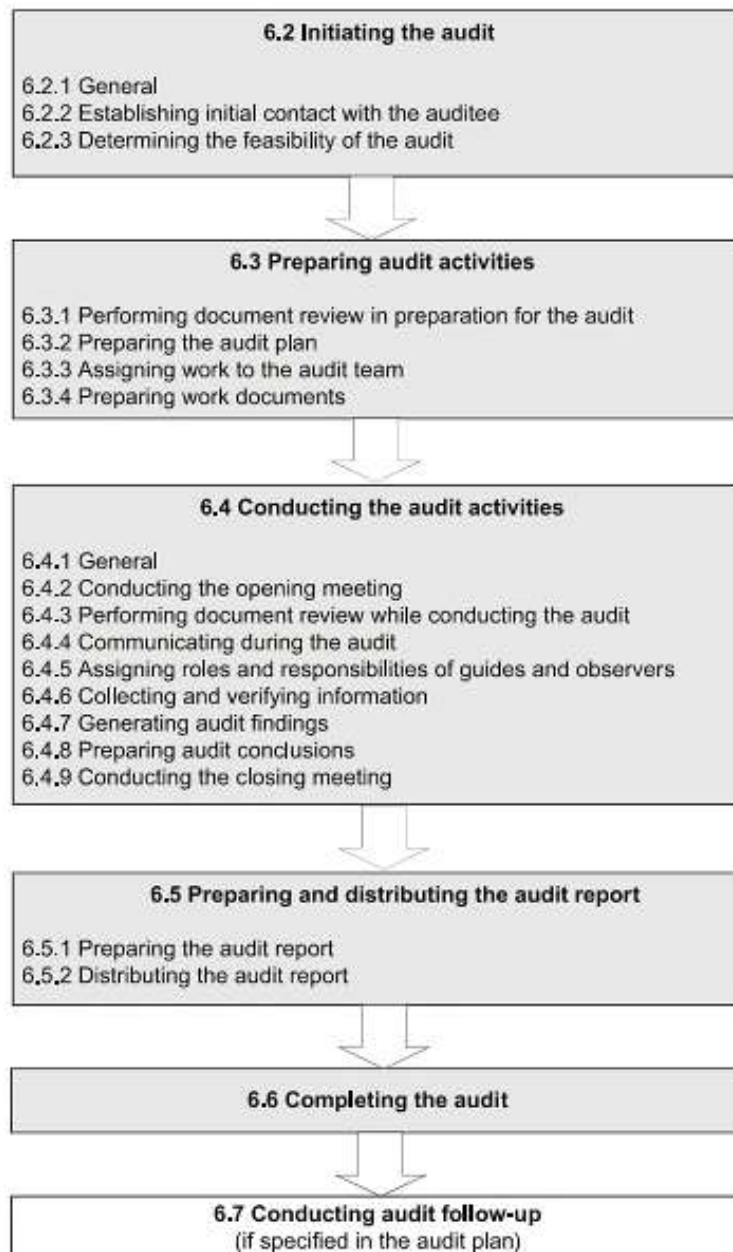


Figure 3: Audit activities overview (AS/NZS ISO 19011:2014). Subclause numbering refers to the relevant subclauses in the Standard.

Prior to the commencement of the audit the following tasks were completed:

- Establish initial contact with the auditee
- Confirm the audit team: The audit was undertaken by Derek Low. Derek is an Exemplar Global certified environmental auditor. Derek was supported by Natalie Jongebloed
- Confirm the audit purpose, scope and criteria.

The documents reviewed prior to the site visit are as follows:

- Project Approval SSD 6766 for MPE stage 1 Project, 13 March 2018
- *Environment Protection and Biodiversity Conservation Act 1999* Approval, 6 March 2014
- Selected Approvals Matrix – Stage 1 Recommended CoC, 3 August 2016
- Selected Approvals Matrix – Stage 1 Final Compilation of Mitigation Measures, 3 August 2016 and
- *Construction Environmental Management Plan, Moorebank Precinct East Stage 1, Package 2*, 11 January 2019, and sub-plans (SIMTA).

Following the document review the following tasks were undertaken prior to the on-site audit activity:

- Preparing the audit program
- Assigning work to the audit team
- Preparing audit checklists comprising Conditions of Consent for the IMEX No 1 site and open actions from previous audits

The on-site audit activities took place on 21 November 2019. The following personnel took part in the audit:

- Ian Irwin – Environment Manager – Tactical (representing SIMTA)
- Rui Henriques – Environmental Representative – HBI Australia
- Brendan Hooton – IMEX Environment Manager – Fulton Hogan
- James Alchin – IMEX Environment Coordinator – Fulton Hogan
- Derek Low – Independent Auditor – WolfPeak.

The on-site audit activities included an inspection of the site and work activities and review of management plans, procedures, monitoring records and inspection reports.

A component of the audit was conducted off-site after the on-site audit activities. The off-site audit activities were completed between 14 November 2019 and 2 December 2019 and involved review of plans, reports, checklists, correspondence records and other related documentation.

In relation to findings against conditions, the following terminology was adopted:

- **Compliant:** Complies with all requirements of the condition(s).
- **Observation:** A situation observed during the audit that provides an opportunity for improvement, requires further consideration or could lead to a non-compliance or environmental impact if not addressed.
- **Corrective Action Request:** Observation warranting the issue of a Corrective Action Request as a result of the finding.
- **Non-compliance:** Does not fully comply with all requirements of the condition. These are categorised as minor or major, depending on the severity of the non-compliance.
- **Not Triggered:** There were no compliance issues related to the condition, was not triggered at the time of the audit or was not related to a SIMTA (or one of its contractors) responsibilities.

2.0 Audit Findings

This Section presents the findings of the November 2019 audit.

Section 4 presents a summary of the findings from this audit and actions proposed or undertaken in response to the findings, along with those proposed or undertaken to address open findings from previous audits. The Audit Checklists provided in Appendices A and B present details of all the evidence collected, observed and provided in support of a finding.

2.1 Compliance Status

There was one non-compliance identified against the CoC.

Non-compliance with CoC G9

CoC G9 states that the transfer of containers between Port Botany and the IMEX terminal must not commence until the rail connection to the SSFL is operational.

The Auditees acknowledged that containers have been transported by rail between the IMEX terminal and Port Botany as part of commissioning works. The Auditor understands that SIMTA notified the Department on 15 August 2019 that commissioning works were being undertaken, however this notice does not provide any details on what the commissioning involved other than 'locomotives using the rail line'. The Auditor also understands that the Department has visited the site during commissioning and has not raised any concerns.

The Consent does not have any conditions pertaining to commissioning of the rail line and the Auditor is not aware of SIMTA communicating that the movement of containers between the two terminals was in fact occurring as part of the commissioning works.

2.2 Corrective Action Requests and Observations

There were two observations made in relation to the CoCs and the CCS.

Observation in relation to CoC D3

CoC D3 requires a Construction Complaints Management System consistent with AS ISO 10002-2006 Customer satisfaction - Guidelines for complaints handling in organisations (ISO 10002:2004, MOD) to be maintained for the duration of construction and up to 12 months following completion of construction.

The complaints register provided for various MPE Stg 1 audits conducted to date, captures a number of complaints received over 2 years. These do not distinguish which package of works to which they relate (i.e.: MPE Stg 1 RALP, IMEX or MPE Stg 2 or MPW Stg 1). The complaints register published online for MPE Stg 2 shows only 1 complaint.

Observation in relation to Community Communications Strategy

The CCS states that, where relevant all communication tools will reference access to the information via a community language Information Line in the five most commonly spoken languages in the Liverpool region – Fijian, Arabic, Vietnamese, Hindi and Filipino.

In the June 2019 IA report, that Auditor noted a non-compliance against this mitigation measure. As at November 2019, the Project Website contains the following:

- the 'Contact Us' section includes the statement "If you have special needs or require assistance, including requesting documents in other languages, please call 1800 986 465.";
- the Newsletter section includes that statement: "To request the newsletter, or other documents, in different languages, please contact us."

The Auditor requested a copy of communications in Fijian during the on site component of the audit. As at 10 January 2019, these had not been provided.

2.3 Effectiveness of environmental management & mitigation measures

The effectiveness of implementation of construction environmental management measures relied on a review of SIMTA's site inspection records, incident reports, training and induction records and other relevant records that were reviewed during the site inspection and interviews held on 21 November 2019.

The assessment indicated that the CEMP and associated sub-plans were being effectively implemented during this audit and the Project has achieved an appropriate level of environmental protection. Section 5 provides evidence of operational environmental controls being implemented on the day of the site audit.

3.0 Audit Conclusions

The overall outcome of the audit was positive. Compliance records were available at the time of the site inspection and interview with SIMTA's personnel on 21 November 2019.

Relevant environmental and compliance monitoring records continue to be collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements. The majority of this information is publicly available, along with the relevant environmental management plans, on SIMTA's website.

There was one non-compliance identified against the CoC. CoC G9 states that the transfer of containers between Port Botany and the IMEX terminal must not commence until the rail connection to the Southern Sydney Freight Line (SSFL) is operational. The Auditees acknowledged that containers have been transported by rail between the IMEX terminal and Port Botany as part of commissioning works.

There were two observations made in relation to the CoCs and the CCS. These related to the information presented in different versions of the complaints register, and access to communications materials in languages other than English.

Actions proposed by the Project team to address the findings of this audit and any previously open audit findings are set out in Section 4.

The overall outcome of the audit was indicative of a high level of compliance and environmental performance by SIMTA and its principal civil contractor (Fulton Hogan) in carrying out the construction of the IMEX No 1 site.

The auditor would like to thank the auditees (representing SIMTA and Fulton Hogan) for their high level of organisation, cooperation and assistance during the audit.

4.0 Audit Actions

Table 1: AUDIT FINDINGS AND ACTION LIST

Item No	Condition No	Type	Details of Item	Proposed or Completed Action	By whom and by when	Status
STATUS OF PREVIOUSLY OPEN AUDIT FINDINGS FROM JUNE 2019						
1	CoC E2	Non-compliance	CoC E2 requires a site notice(s) to be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Contractor, Certifying Authority and Structural Engineer. The notice(s) must satisfy the specifications prescribed by the condition. A site notice was not able to be sighted during the audit.	Signage that complies with the requirements of CoC E2 is to be erected Resolved- signage sighted 21 November 2019.	NA	CLOSED
2	CoC E13 BM7	Observation	CoC E13 and mitigation measure BM7 require the storage and handling of dangerous goods (now referred to under Work Health and Safety legislation as hazardous chemicals) in accordance with the relevant standards and guides and that the chemicals be adequately bundled. Whilst the storage of hazardous chemicals was observed to sound and adequately bundled, there was no sign identifying location or presence of Safety Data Sheets (SDSs) at hazardous chemicals storage, thus requiring personnel to go search for them should they need to access information on storage and use.	Signage for the SDS register will be erected at the materials storage yard Resolved- signage sighted 21 November 2019.	NA	CLOSED
3	CEMP 9.2.1	Observation	Section 9.2.1 of the CEMP describes the process of managing environmental issues and non-conformances. The process includes the application of a risk ranking for differentiating corrective actions. Whilst the incident management system appropriately captures and communicates matters relating to incident action close out, it does not necessary reflect the process of applying a risk ranking for the application of corrective actions. Despite this omission, the system is mature and appears to be functioning, with corrective actions assigned commensurate to the risk.	NCRs managed through the online incident management system will provide a risk ranking for closure similar to the ER report	NA	CLOSED
4	CCS Tools and strategies	Non-compliance	The CCS states that, where relevant all communication tools will reference access to the information via a community language	Communications material to be updated with appropriate	Elton 09/12/19	CLOSED:

Item No	Condition No	Type	Details of Item	Proposed or Completed Action	By whom and by when	Status
			<p>Information Line in the five most commonly spoken languages in the Liverpool region – Fijian, Arabic, Vietnamese, Hindi and Filipino.</p> <p>The Project website includes only one reference to accessing information in a language other than English. The project newsletters do not include any information relating information in other languages.</p>	referencing to access information in languages other than English.		<p>The 'contact us' section of the Project Website includes the statement "If you have special needs or require assistance, including requesting documents in other languages, please call 1800 986 465."</p> <p>The Newsletter section of the Project Website includes that statement: "To request the newsletter, or other documents, in different languages, please contact us."....</p>
5	CCS Complaints and enquiries	Non-compliance	<p>The CCS sets out benchmarks for responding to complaints and enquiries, which includes acknowledge complainant within 4 hours (where contact details provided), acknowledgement of an enquiry within 8 hours, a written and/or verbal response to complainant within 24 hours and other prescribed timeframes for written responses, recording and reporting complaints and enquiries.</p> <p>Whilst an extract of the complaints register has been provided, there was no evidence available at the time of the audit that these benchmarks were being applied.</p>	A response process is to be developed and implemented.	NA	<p>CLOSED</p> <p>Sighted complaints register to November 2019. Records indicate that responses are being provided in accordance with the benchmarks.</p>
NOVEMBER 2019 AUDIT FINDINGS						
6	CoC D3	Observation	CoC D3 requires the Applicant to prepare and implement a Construction Complaints Managing System.	No action required.	NA	CLOSED

Item No	Condition No	Type	Details of Item	Proposed or Completed Action	By whom and by when	Status
			<p>Information on all complaints received, including the means by which they were addressed, must be maintained in a complaints register and included in construction compliance reports.</p> <p>The complaints register provided for various MPE Stg 1 audits conducted to date, captures a number of complaints received over 2 years. These do not distinguish which package of works to which they relate (i.e.: MPE Stg 1 RALP, IMEX or MPE Stg 2 or MPW Stg 1). The complaints register published online for MPE Stg 2 shows only 1 complaint.</p>			
7	CoC G9	Non-compliance	<p>CoC G9 states that the transfer of containers between Port Botany and the IMEX No 1 terminal must not commence until the rail connection to the SSFL is operational.</p> <p>During the audit it was observed that commissioning works were underway, comprising container movements at the IMEX terminal. SIMTA advised that, as part of commissioning, containers are being transferred between Port Botany and the IMEX terminal, despite operations not yet being approved by DPIE. It is understood that on 15 August 2019, SIMTA advised DPIE of the commissioning works and that DPIE has attended the site and observed the works underway.</p>	SIMTA to confirm permissibility of movement of containers during commissioning works with the Department.	SIMTA prior to operations	OPEN
8	CCS Tools and strategies	Observation	<p>The CCS states that, where relevant all communication tools will reference access to the information via a community language Information Line in the five most commonly spoken languages in the Liverpool region – Fijian, Arabic, Vietnamese, Hindi and Filipino.</p> <p>On 21 November 2019, the Auditor requested a copy of a project update in Fijian. Acknowledgment was received the next day, but as at 10 January 2019, the information in Fijian had not been provided.</p>	SIMTA to ensure that requirements and commitments from the CCS are fulfilled. Communications material to be updated with appropriate referencing to access information in languages other than English.	Elton 09/12/19	OPEN

5.0 Photos



Photo 1: Entrance to the IMEX Terminal



Photo 2: Stormwater channel and inlet.



Photo 3: Moorebank Avenue temporary traffic signals with stabilised batter in foreground.



Photo 4: Firewater system



Photo 5: Chemical storage. Note drums in foreground do not contain any equipment materials.



Photo 6: Spill kit.



Photo 7: Drip blanket for filling hazardous chemicals at hazardous chemicals cupboard.



Photo 8: Ballast delivery and stormwater protection in foreground.



Photo 9: Container movements.



Photo 10: Waste segregation. Note that litter was collected on the same day.

Appendix A. PROJECT APPROVAL (SSD 6766) CONDITIONS OF APPROVAL

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
		PRINCIPAL	CONTRACTOR		C	O	NC	NT
Rating: C- Compliant, O – Observation, NC – Non-compliant, NT – Not triggered								
PART A ADMINISTRATIVE CONDITIONS								
Development in Accordance with Plans and Documents								
A1	The Applicant shall carry out the development generally in accordance with the: a) State Significant Development Application SSD 6766; b) SIMTA Intermodal Terminal Facility - Stage 1 - Environmental Impact Statement (Hyder Consulting Pty Ltd, May 2014); c) SIMTA Intermodal Terminal Facility - Stage 1 - Response to Submissions (Hyder Consulting Pty Ltd, September 2015); and d) The conditions of this consent.	X	X	Compliance with these requirements is verified through this independent audit process.	C			
A2	In the event of an inconsistency between: a) the conditions of this approval and any document listed from condition A1(a) to A1(c) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and b) any document listed from condition A1(a) to A1(c) inclusive, and any other document listed from condition A1(a) to A1(c) inclusive, the most recent document shall prevail to the extent of the inconsistency.	X	X	This audit assess compliance against the conditions of consent as issued. Minor amendments to the CEMP and sub-plans continue to be approved by the ER to ensure they are fit for purpose. These changes have not triggered the need for Departmental approval.	C			
A3	The Applicant shall comply with any reasonable requirement(s) of the Secretary arising from the Department's assessment of: a) any reports, plans or correspondence that are submitted in accordance with this consent; and b) the implementation of any actions or measures contained within these documents	X	X	CEMP and sub-plans revised in accordance with comments provided DPIE. http://simta.com.au/mpe/ The following plans have been updated since the last audit undertaken in June 2019: <ul style="list-style-type: none">Construction Environmental Management Plan 11/01/19 (IMEX CEMP Rev12)	C			

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
		PRINCIPAL	CONTRACTOR		C	O	NC	NT
				<ul style="list-style-type: none"> Construction Heritage Management Plan 11/01/19 (IMEX CHMP) Construction Soil And Water Management Plan 11/01/19 (IMEX CSWMP) Construction Air Quality Management Plan 11/01/19 (IMEX CAQMP) Construction Noise And Vibration Management Plan 11/01/19 (IMEX CNVMP) Construction Traffic And Access Management 11/01/19 (IMEX CTAMP) Community Communication Strategy 11/01/19 (IMEX CCS) Bushfire Management Strategy, 11/01/19 Greenhouse Gas Management Plan, 11/01/19 Flood Emergency Response Plan, 11/01/19 <p>There is only one sub-plan that hasn't been updated since December 2018:</p> <ul style="list-style-type: none"> Contamination Management Plan Moorebank 16/02/17 (IMEX CMP) 				
Lapsing of approval								
A4	This approval will lapse ten years from the date of this approval unless works the subject of this approval are physically commenced, on or before that lapse date.	X		NT Works Commenced				NT

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
		PRINCIPAL	CONTRACTOR		C	O	NC	NT
A5	In the event of a dispute between the Applicant and a public authority, in relation to this approval, either party may refer the matter to the Secretary for resolution. The Secretary's resolution of the matter shall be binding on the parties.	X		NT None identified.				NT
Legal notices								
A6	Any advice or notice to the consent authority shall be served on the Secretary	X		NT None identified.				NT
A7	The applicant shall ensure that all licences, permits, consents and approvals are obtained and maintained as required throughout the life of the development. No condition of this consent removes the obligation of the Applicant to obtain, renew or comply with such licences, permits or approvals. The Applicant shall ensure that a copy of this consent and all relevant environmental licences, permits, consents and approvals are available on the Project Website and Subject Site at all times during the development	X	X	EPBC Act Approval (EPBC 2011/6229) Project Approval SSD 6766 Environmental Protection Licence (21054) CEMP and Sub-plans Approved CEMP and sub-plans outline applicable legal obligations and licence, permit, consent and approval requirements, including: <ul style="list-style-type: none"> - Road occupancy licences under S138 of the Roads Act 1993 - Permits to manage EECs under S132C of NPW Act 1974 - Permits for pesticide use under Agricultural and Veterinary Chemicals Code Act 1994 - Licence for translocation of threatened species under the Biodiversity Conservation Act 2016. - No changes for June 2019 period. - No change for November 2019 audit. 	C			
PART B PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE								

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
		PRINCIPAL	CONTRACTOR		C	O	NC	NT
Disabled Access								
B1	Access for people with disabilities shall be provided for offices and amenities for the development in accordance with the <i>Disability Discrimination Act 1992</i> (Commonwealth). Prior to the issue of a Construction Certificate, verification of compliance with this condition from an appropriately qualified person shall be provided to the Certifying Authority	X		Construction Certificates issued, demonstrating compliance: <ul style="list-style-type: none">- Site establishment dated 16/05/17- Earthworks and structures dated 07/07/17.- Services dated 16/11/17- Admin Building dated 23/02/18 No new construction certificates No change for November 2019 audit.	C			
Compliance with the Building Code of Australia (BCA)								
B2	Details shall be provided to the satisfaction of the Certifying Authority, with the application for a Construction Certificate, which demonstrate that the proposal complies with the prescribed conditions of approval under Clause 98 of the Environmental Planning and Assessment Regulation in relation to the requirements of the Building Code of Australia (BCA).	X		Compliance with BCA Codes provided through Construction Certificates sighted: <ul style="list-style-type: none">- Demolition dated 16/05/17- Earthworks and structures dated 28/07/17- Services dated 16/11/17- Admin Building dated 23/02/18 No new construction certificates. OC for admin building is pending. No change for November 2019 audit.	C			
Development Contributions								
B3	Prior to the issue of a Construction Certificate, the Applicant shall pay a monetary levy of \$643,027.27 to Liverpool City Council for transport, drainage, community facilities, administration and professional and legal fees pursuant to section 94B(2) of the <i>Environmental Planning and Assessment Act 1979</i> .	X		Payment made on 15/05/17.	C			
Site Layout and Access								

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
		PRINCIPAL	CONTRACTOR		C	O	NC	NT
B4	The design of the main access gate shall preclude heavy road freight vehicles from using Moorebank Avenue south (no left turn from the terminal site onto Moorebank Avenue, and no right turn from Moorebank Avenue into the terminal site). Detailed plans are to be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	X		McKenzie Group are the Certifying Authority and they issued approval on 26/5/17 and copy provided to DPIE on 9/6/17 No change for June 2019. No change for November 2019 audit.	C			
B5	The Applicant shall ensure that: a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the Development are constructed and maintained in accordance with the latest versions of AS 2890.1 – 2004, AS 2890.6-2009 and AS 2890.2 – 2002 for heavy vehicle usage; b) the swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, is in accordance with AUSTROADS; c) The layout of the site shall be designed to ensure heavy vehicles associated with the operation of the intermodal terminal can be accommodated on site in the event of an incident blocking access to the M5 Motorway/ Moorebank Avenue to avoid queuing on public roads. d) The layout of the site shall be designed to minimise heavy vehicles reversing are not required to select reverse gear. e) heavy vehicles and bins associated with the SSD do not park or stand on local roads or footpaths in the vicinity of the site; f) all vehicles are wholly contained on site before being required to stop; g) all loading and unloading of materials is carried out on site; and h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times. Detailed plans demonstrating compliance with a)-h) shall be prepared in consultation with RMS and to the satisfaction of the Certifying Authority.	X		In progress (related to IMEX No 1 Admin Building) Sighted submission of B5 application to Certifying Authority 18/9/17. Sighted submission of drawings to RMS 18/12/17 McKenzie Group letter of 17/08/2018 confirming condition B5 has been satisfied. No change for November 2019 audit.				NT
B6	The Applicant shall include provision for emergency access to the site. Plans demonstrating compliance shall be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	X		As per PCCR: Information provided to Certifying Authority and approval provided on 26/5/17 and emailed to DPIE on 09/06/17.	C			

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
		PRINCIPAL	CONTRACTOR		C	O	NC	NT
				No change for June 2019 audit period. No change for November 2019 audit.				
Lighting Plan								
B7	A detailed plan prepared by a suitably qualified lighting engineer must be submitted to the Certifying Authority for approval prior the issue of a Construction Certificate, and include, but not be limited to: <ul style="list-style-type: none"> a) Adequate lighting of pedestrian thoroughfares; b) All lighting in public domain areas is to comply with the relevant Council requirements and Australian Standard AS1158 for Street Lighting Applications; c) The lighting plan should include lighting designs, supported by luminance calculations and luminance plots, and is to be of a high standard and Energy Australia compatible; and d) All outdoor lighting (excluding street lighting) shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. 	X		Approved by McKenzie Group on 12/5/17. No change for June 2019 audit. No change for November 2019 audit.	C			
Public Transport								
B8	The SSD shall be designed to ensure a bus stop on Moorebank Avenue (including direct pedestrian access from the terminal site to the bus stop), and associated turnaround facility suitable for a 14.5 metre long non-rear steer bus is not precluded.	X		The MPE Stage 1 design has not precluded the ability to install a bus stop and associated turnaround facility in the future. Consultation with relevant bus provider(s) and Transport for NSW (TfNSW) will be undertaken with regards to the potential to extend the 901 bus service (limited bus service along Moorebank Avenue), particularly along Moorebank Avenue fronting the site, and additional bus stops to ensure adequate accessibility to and within the site. No change for November 2019 audit.	C			
PART C PRIOR TO CONSTRUCTION								

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)					
		PRINCIPAL	CONTRACTOR		C	O	NC	NT		
Commencement of Works										
C1	Demolition, excavation, clearing (other than minor clearing), construction, subdivision or associated activities must not commence until a Construction Certificate has been issued for the project pursuant to the <i>Environmental Planning and Assessment Act 1979</i> .	X		Construction Certificates issued: <ul style="list-style-type: none">- Site establishment dated 16/05/17- Earthworks and structures dated 28/07/17- Services dated 16/11/17- Admin Building dated 23/02/18 No change for November 2019 audit.	C					
Demolition										
C2	The Applicant shall ensure that all demolition work is carried out in accordance with <i>Australian Standard AS 2601:2001: The Demolition of Structures</i> , or its latest version.	X		AS 2601:2001 referenced in Liberty Industrial’s Asbestos Removal Control Plan for IMEX No 1-EW (April 2017). No change for November 2019 audit.	C					
C3	The Applicant shall prepare and implement an Urban Design and Landscape Plan for the project. The Plan shall present an integrated urban design for the project. The Plan shall include, but not necessarily be limited to: <ul style="list-style-type: none">a) final design details of the proposed external materials and finishes;b) location of existing vegetation and proposed landscaping (including use of indigenous and endemic species where possible) and design features;c) strategies for progressive landscaping of other environmental controls such as erosion and sedimentation controls, drainage and noise mitigation; andd) location and design treatments for any associated footpaths and cyclist elements, and other features such as seating, lighting (in accordance with AS 4282-1997 Control of the Obtrusive Effect of Outdoor Lighting), fencing, and signs; The Plan shall be submitted for the approval of the Secretary prior to the commencement of permanent built works and/ or landscaping, unless otherwise agreed by the Secretary.	X	X	Conditional approval of UDLP granted on 26/07/17. Approval allows for commencement of works. The UDLP was approved on 14/2/18. UDLP revision 10, 10/12/18, approved by DPIE 28/2/19. No change for November 2019 audit.	C					
Compliance Monitoring and Tracking										

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
		PRINCIPAL	CONTRACTOR		C	O	NC	NT
C4	<p>The Applicant shall prepare and implement a Compliance Tracking Program, to track compliance with the requirements of this approval. The Program shall be submitted to the Secretary for approval prior to the commencement of construction and operate for the duration of construction. The Program shall include, but not be limited to:</p> <ul style="list-style-type: none"> a) provision for the notification to the Secretary prior to the commencement of construction; b) provision for periodic review of the compliance status of the SSD against the requirements of this approval; c) provision for periodic reporting of compliance status to the Secretary, including but not limited to: <ul style="list-style-type: none"> i. a Pre-Construction Compliance Report prior to the commencement of construction, ii. Six-monthly, or other timing as agreed by the Secretary, Construction Compliance Reports, for the duration of construction, and iii. a Completion Compliance Report within one month of completion of the construction; d) a program for independent environmental auditing in accordance with AS/NZS ISO 19011:2014 - Guidelines for Auditing Management Systems; e) mechanisms for recording environmental incidents during construction and actions taken in response to those incidents; f) provision for reporting environmental incidents to the Secretary during construction, in accordance with conditions C6 and C7; g) procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management; and h) provision for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities. 	X	X	<p>Compliance Tracking Program approved by DPIE on 04/05/17.</p> <p>IMEX No 1 PCCR dated 19/6/17 and this audit report are relevant to compliance with this condition</p> <p>Arcadis was present during the 20/06/18 audit and actively tracks compliance for the IMEX project.</p> <p>This audit forms part of the compliance tracking program.</p> <p>It is noted that CoC D4(f) incorrectly references CoCs C6 and C7. These should reference CoC E10 and E11.</p> <p>6 monthly compliance report available online.</p> <p>No change for November 2019 audit.</p>	C			
Contamination								
C5	Prior to the commencement of construction of the rail link within the Glenfield Waste Facility licenced premises, the Applicant shall prepare an assessment report of the proposed impacts of construction on the Glenfield Waste Facility licenced premises.	X		Relevant to RALP works				NT

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
		PRINCIPAL	CONTRACTOR		C	O	NC	NT
	<p>The assessment must address:</p> <ul style="list-style-type: none"> a) Targeted intrusive investigations to determine contamination pathways and to develop mitigation, management and/or remediation options based on those investigations; b) details of the quantity of landfilled waste to be removed, the location from where it will be removed, the methodology to be utilised and the estimated timeframe for the removal and reburial; c) proposed measures to mitigate odour impacts on sensitive receivers, including an undertaking to apply daily cover to any exposed waste in accordance with benchmark technique 33 of the document <i>Environmental Guidelines: Solid Waste Landfills</i>, NSW EPA 1996; d) details of impacts on pollution control and monitoring systems including existing groundwater and landfill gas bores and their subsequent repair/ replacement; e) the methodology proposed to ensure that the landfill barrier system disturbed in the removal process is replaced/ repaired to ensure its ongoing performance. The Applicant shall detail matters such as sub grade preparation and specifications, liner installation/ reinstallation procedures and construction quality assurance (CQA) procedures; f) a commitment to providing the EPA with a construction quality assurance report within 60 days of the completion of the works referred to in (d) above; and g) an overview of any access and/or materials/ equipment storage arrangements with Glenfield Waste Facility in relation to the construction of the project, and operation and maintenance of the rail link. h) details of any other expected or potential impacts to the licensed area and options for management and mitigation of those impacts (i.e. leachate management and surface water runoff, potential impacts on the Georges River during works, dust etc.); and i) details of and proposed mitigation measures for the long term management of the rail link (e.g. subsidence or gas issues). 							

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
		PRINCIPAL	CONTRACTOR		C	O	NC	NT
	The Applicant must provide the assessment report to the EPA for review and approval at least 6 weeks prior to the commencement of construction. A copy must also be submitted to the Secretary for information. No works are permitted to commence within the Glenfield Waste Facility licenced premises without the EPA's written approval, unless otherwise agreed by the Secretary.							
C6	The Applicant shall prepare construction design plans for the section of the rail link within the Glenfield Waste Facility licenced premises in consultation with the EPA, and submit for the approval of the Certifying Authority prior to the commencement of construction, unless otherwise agreed by the Secretary. A copy must be provided to the Secretary for information.	X		Relevant to RALP works.				NT
C7	The approved works (including any excavation required for remediation) must not occur below 5 metres AHD and lower the water table below 1m AHD on adjacent class 1, 2, 3, 4 lands in accordance with the Liverpool Local Environmental Plan 2008.	X	X	Relevant to RALP works. PASS is not known to be present on the IMEX No 1 site				NT
C8	The subject site is to be remediated in accordance with: <ul style="list-style-type: none"> a) The approved Remedial Action Plan; b) <i>State Environmental Planning Policy No. 55 - Remediation of Land</i>; and c) The guidelines in force under the <i>Contaminated Land Management Act</i>. Amendments to the approved Remedial Action Plan required as a result of further site investigations must be approved by the site auditor, in consultation with the EPA. Within 3 months after the completion of the remediation works, a notice of completion, including a validation and/or monitoring report is to be provided to the Secretary. This notice must be consistent with <i>State Environmental Planning Policy No. 55 - Remediation of Land</i> . The validation and/or monitoring report is to be independently audited and a Site Audit Statement Issued. The audit is to be carried out by an independent auditor accredited by the EPA. Any conditions recorded on the Site Audit Statement are to be complied with.	X		Site Audit Statement Part A dated 12/10/16 issued for the IMEX No 1 and surrounding site by JBS&G. No additional works requiring RAP. Validation reporting is complete and provided to Site Auditor. The Part B SAS is still pending. Sighted correspondence from Site Auditor 25/6/19. No change for November 2019 audit.	C			
Soil, Water Quality and Hydrology								
C9	The design of any new stormwater outlets to the Georges River or Anzac Creek must include scour protection works.	X		Outside IMEX Construction footprint. Applicable to RALP works only.				NT

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
		PRINCIPAL	CONTRACTOR		C	O	NC	NT
Fish Migration, Passage and Health								
C10	Prior to the commencement of construction the Applicant shall consider the staging of in-water works for the bridge construction across the Georges River to avoid the impact on the migration season of Australian Bass.	X		Outside IMEX Construction footprint. Applicable to RALP works only.				NT
C11	Prior to the commencement of the bridge construction works across the Georges River, the Applicant must consider if possible, restricting the use of the temporary platform to only one, and be designed to maintain fish passage. The Applicant must consult with DPI Fisheries with regard to the platform and its design prior to constructing the platform in the Georges River.	X		Outside IMEX Construction footprint. Applicable to RALP works only.				NT
C12	The Applicant is to ensure that a daily visual inspection for dead or distressed fish in the Georges River is undertaken. Fish distress is indicated by fish gasping at the water surface, or crowding at the creek's banks. Should dead or distressed fish be observed, all works are to cease and DPI Fisheries is to be contacted immediately. Works can proceed following approval by DPI Fisheries.	X		Outside IMEX Construction footprint. Applicable to RALP works only.				NT
Heritage								
C13	Prior to the commencement of construction activities affecting the WWII store buildings, the Applicant shall complete all archival recordings. This work shall be undertaken by an experienced heritage consultant, in accordance with the guidelines issued by the Heritage Council of NSW. Within 6 months of completing this work, the Applicant shall submit a report containing archival recordings to the Secretary, Certifying Authority, the Heritage Council of NSW, Liverpool Council and the local Historical Society.	X		As stated in the Construction Heritage Management Plan , photographic archival recording was undertaken on the 18 and 19 January 2017. Files provided to stakeholders 05/07/17. No change for November 2019 audit.	C			
C14	Prior to the commencement of construction activities affecting the WWII store buildings, the Applicant shall prepare a Heritage Interpretation Strategy, in consultation with the Heritage Division. The Strategy shall be submitted for the approval of the Secretary with a copy provided to the Certifying Authority.	X		Approved Heritage Interpretation Strategy is available on the Project website dated February 2017. No change for June 2019 audit. The Heritage Interpretation Plan is being developed for MPE wide works. Once this is finalised it will give effect to the HIS. No change for November 2019 audit.	C			

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
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C15	<p>Prior to the commencement of pre-construction and construction activities affecting Aboriginal site MA14, the Applicant shall:</p> <ul style="list-style-type: none"> a) develop a detailed salvage strategy, prepared in consultation with OEH (Aboriginal heritage) and the Aboriginal stakeholders. The investigation program shall be prepared to the satisfaction of the Secretary; and b) undertake any further archaeological excavation works recommended by the results of the Aboriginal archaeological investigation program. c) Within twelve months of completing the above work, unless otherwise agreed by the Secretary, the Applicant shall submit a report containing the findings of the excavations, including artefact analysis and Aboriginal Site Impacts Recording Forms (ASIR), and the identification of final storage location for all Aboriginal objects recovered (testing and salvage), prepared in consultation with the Aboriginal stakeholders, the OEH (Aboriginal heritage) and to the satisfaction of the Secretary. d) Note: where archaeological testing has occurred as part of the Environmental Assessment and the results are included in the documents listed in condition A1 the sites tested must still form part of the final report prepared under C16(b). 	X		This condition is not applicable to Stage 1, Package 2 Works. This condition will be addressed by the Construction Heritage Management Plan developed for MPE Stage 1, Package 1 (applicable to RALP works only).				NT
Utilities and Services								
C16	Utilities, services and other infrastructure potentially affected by construction and operation shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. Consultation with the relevant owner and/or provider of services that are likely to be affected by the construction shall be undertaken to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required. The cost of any such arrangements shall be borne by the Applicant, or as otherwise agreed between the parties.	X	X	<p>The PCCR states that Section 6 of the Services & Utilities Design Report outlines requirements to engage utility and service providers in accordance with this condition.</p> <p>As a result, consultation with relevant land and asset owner or service provider was undertaken during detailed design to determine appropriate upgrades to the existing infrastructure. Access requirements and further engagement with owners and providers will be undertaken during construction phase of the project.</p>	C			

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
		PRINCIPAL	CONTRACTOR		C	O	NC	NT
				No change for June 2019 audit. No change for November 2019 audit.				
Pre-Construction Dilapidation Report								
C17	The Applicant shall engage a suitably qualified person to prepare a pre-construction dilapidation report prior to the commencement of construction. This report to ascertain the structural condition of: <ul style="list-style-type: none"> a) local public roads likely to be used by the project's construction traffic identified in the Construction Traffic and Access Management Sub-plan required under condition E35(a). b) local public roads, cycle ways, footpaths and other utilities identified in the Construction Traffic and Access Management Sub-Plan required under condition E35(a). The report shall be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS and the Secretary.	X		Dilapidation reports completed for; <ul style="list-style-type: none"> • Moorebank Avenue • Cambridge Avenue • Roundabout and Roadways at Glenfield These are available on the project website and these were approved by McKenzie Group on 11/4/17. No change for June 2019 audit. No change for November 2019 audit.	C			
C18	The Applicant shall undertake road pavement deflection testing of the construction truck routes at 20 metre intervals along all wheel paths where feasible and reasonable to the extent required by Condition E35 (a), prior to commencement of construction.	X		Road Pavement Deflecting Testing Report completed April 2017, data plots show deflection testing intervals. No change for June 2019 audit. No change for November 2019 audit.	C			
C19	The Applicant shall ensure that the construction and operation of the proposed development will not prevent the existing use of Moorebank Avenue as a public road to a standard commensurate to its current use prior to the development. Note: temporary closures or part closures and changes to the operation of Moorebank Avenue may occur for limited periods during construction as detailed in the Construction Traffic Management Plan	X	X	The Construction Traffic Management Plan (CTAMP) was updated 16 August 2018 and is available on the project website. The CTAMPs outline this commitment. Moorebank Avenue standard is being maintained. No change for June 2019 audit. No change for November 2019 audit.	C			
Biodiversity								

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
		PRINCIPAL	CONTRACTOR		C	O	NC	NT
C20	The Applicant shall ensure the width of the rail link corridor is no greater than 20 metres in the Riparian corridor of the Georges River and Anzac Creek.	X		Outside IMEX Construction footprint. Applicable to RALP works only.				NT
C21	The Georges River Bridge shall be designed to ensure fauna movement within the riparian corridor is maintained. The bridge shall be designed in consultation with DPI Water and approved by the Certifying Authority. A copy of the final design shall be submitted to the Secretary for information and made available on the Project Website.	X		Outside IMEX Construction footprint. Applicable to RALP works only.				NT
C22	The Applicant shall prepare and implement a 'Threatened Dragonfly Species Survey Plan' to determine the presence or absence of threatened dragonfly species listed under the Fisheries Management Act 1994 on the Georges River, adjacent to the development site. The plan, including survey methodology, shall be prepared in consultation with DPI Fisheries prior to the commencement of construction. On implementing the plan, the survey results are to be forwarded onto DPI Fisheries. Should threatened dragonfly species be found at this site, DPI Fisheries should be contacted to agree on possible mitigation measures to avoid impacts in accordance with NSW DPI Policy and Guidelines for Fish Habitat Conservation and Management (2013).	X		Outside IMEX Construction footprint. Applicable to RALP works only.				NT
Transport and Access								
C23	Prior to the commencement of clearing within the railway corridor between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant must prepare and implement a Hibbertia Species Survey Plan to determine the number of individual plants of each Hibbertia species present within the corridor and confirm that the required quantum of biodiversity offset credits needed to provide an offset for the surveyed number of individual plants of each Hibbertia species can be achieved. The survey plan, including the survey method, must be prepared in consultation with OEH to the satisfaction of the Secretary. Results of the survey must be included in the Biodiversity Offset Package required by C23A.	X	X	Does not apply to MPE Stage 1 Package 2 (IMEX). Applicable to RALP works only.				NT
C23A	Prior to the commencement of clearing within the railway corridor between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant shall develop and implement a Biodiversity Offset Package to the satisfaction of the Secretary. The Package shall detail how the ecological values lost as a result of the SSD will be offset. The Package shall be consistent with the NSW Biodiversity Offsets Policy for Major Projects (OEH 2014), unless otherwise agreed by the Secretary.	X		Applicable to RALP works only.				NT

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
		PRINCIPAL	CONTRACTOR		C	O	NC	NT
	<p>The Package shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) the identification of the extent and types of habitat that would be lost or degraded as a result of the final design of the SSD; b) the objectives and biodiversity outcomes to be achieved; c) the final suite of the biodiversity offset measures selected and secured in consultation with OEH; d) the management and monitoring requirements for compensatory habitat works and other biodiversity offset measures proposed to ensure the outcomes of the package are achieved, including: e) the monitoring of the condition of species and ecological communities at offset (including translocation) locations; f) the method for the monitoring program(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites; g) provisions for the annual reporting of the monitoring results for a set period of time as determined in consultation with the OEH; and h) timing and responsibilities for the implementation of the provisions of the Package <p>The Approved Biodiversity Offset Package shall be published on the Project Website within 7 days of its approval.</p> <p>Where land offsets cannot solely achieve compensation for the loss of habitat, additional measures shall be provided to collectively deliver an improved or maintained biodiversity outcome for the region. Where monitoring referred to in (e) above indicates that biodiversity outcomes are not being achieved, remedial actions shall be undertaken to ensure that the objectives of the Biodiversity Offset Package are achieved to the satisfaction of the Secretary. Such remedial actions shall be documented under an addendum to the Biodiversity Offset Package and the addendum be submitted to the satisfaction of the Secretary, prior to the implementation of that addendum.</p> <p>If the applicant can demonstrate to the satisfaction of the Secretary that the proposed offset land for between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge has been secured, the Applicant shall within 12 months of the commencement of construction develop and implement the Biodiversity Offset Package to the satisfaction of the Secretary in accordance with items (a)-(h) above.</p>							

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
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	Note: Where the Applicant has opted to develop a consolidated Biodiversity Offset Package covering both the Moorebank Intermodal Terminal (SSD 5066) and SIMTA sites, this must be submitted to the Secretary within 12 months of submitting the initial Biodiversity Offset Package in accordance with this condition unless otherwise agreed by the Secretary.							
C23B	<p>The Applicant shall:</p> <ul style="list-style-type: none"> a) remove the disused rail spur traversing the Southern Boot Land and remediate and rehabilitate the land containing the disused rail spur traversing the Southern Boot Land, which is identified in blue dotted outline on Attachment A to these conditions titled "Figure 1 – Wattle Grove Offset Area"; and b) once remediation of the disused rail spur is complete, apply within 2 months of completion of the remediation to amend the biobanking agreement to incorporate the land shaded yellow on Attachment A to these conditions titled "Figure 1 – Wattle Grove Offset Area"; and Prior to the commencement of clearing between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant shall develop and implement a Biodiversity Offset Package to the satisfaction of the Secretary. The Package shall detail how the ecological values lost as a result of the SSD will be offset. The Package shall be consistent with the NSW Biodiversity Offsets Policy for Major Projects (OEH 2014), unless otherwise agreed by the Secretary. c) apply within 2 months of the issue of the biobanking agreement to amend the biobanking agreement to incorporate the land shaded red on Attachment A to these conditions titled "Figure 1 – Wattle Grove Offset Area". <p>Nothing in this condition requires the Applicant to amend the biobanking agreement application lodged with OEH in February 2017.</p>	X	X	<p>Part of the land relevant to the works sits outside of the project footprint. SIMTA have proposed a way forward to enable these works (sent to DPIE 07/11/18). Sighted DPIE agreement of approach 20/12/18.</p> <p>Approx 106m of rail spur has been removed from IMEX to Bootlands. This involved some lead remediation in the northern limb. Validation has occurred on this portion of works.</p> <p>Works on remainder of spur have yet to commence.</p>				NT
C24	Prior to the commencement of construction, the Applicant shall undertake a Road Safety Audit in consultation with TfNSW and the relevant Council for the proposed construction vehicle access points on public roads. The audit shall be undertaken by an independent TfNSW accredited road safety auditor in accordance with the relevant Austroads guidelines to identify any safety issues for the proposed construction vehicle access. The audit shall recommend	X		<p>The PCCR states that a road safety audit was undertaken on 4/4/17 and consultation with LCC and TfNSW concluded on 15/5/17.</p> <p>The Road Safety Audit Report refers to the condition and makes</p>	C			

CoC No	Condition of Approval Requirement	RESPONSIBILITY		November 2019 comments, observations, discussion, evidence, supporting documentation	November 2019 Audit Outcome (See footer for key)			
		PRINCIPAL	CONTRACTOR		C	O	NC	NT
	corrective actions for any identified safety issues and propose appropriate traffic management measures (i.e. temporary traffic signals).			recommendations in relation to road safety issues. No change June 2019 audit. No change for November 2019 audit.				
C25	The design of new traffic signals (including modification of existing traffic signals) along Moorebank Avenue shall be designed to meet RMS requirements, Austroads Guide to Road Design and relevant RMS supplements (available on www.rms.nsw.gov.au). Plans shall be and prepared in consultation with RMS, be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	X		Detailed design ongoing. To be completed prior to Moorebank Ave package of works.				NT
C26	The design of new traffic signals (including modification of existing traffic signals) along Moorebank Avenue shall be designed to meet RMS requirements, Austroads Guide to Road Design and relevant RMS supplements (available on www.rms.nsw.gov.au). Plans shall be and prepared in consultation with RMS, be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	X	X	This is a duplicate of C25, as above.				NT
C27	The Applicant shall design the rail link to accommodate the installation of trackside noise barriers for the full length of the rail link in the event they may be required at some future time to comply with the project specific noise levels.	X	X	Outside IMEX Construction footprint. Applicable to RALP works only.				NT
PART D COMMUNITY INFORMATION AND REPORTING								
Community Communication Strategy								
D1	Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall prepare and implement a Community Communication Strategy to the satisfaction of the Secretary. The Strategy shall provide mechanisms to facilitate communication between the Applicant (and its contractor(s)), the Environmental Representative (see condition E4), the relevant Council and community stakeholders (particularly adjoining landowners) on the design and environmental management of construction. The Strategy shall include, but not be limited to: a) identification of stakeholders to be consulted as part of the Strategy, including affected and adjoining landowners, key community and business groups, and community and social service organisations;	X		Community Communication Strategy, addressing the requirements of this condition was approved by DPIE on 11/5/17, and was updated on 11/01/19. No change for November 2019 audit.	C			

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	b) procedures and mechanisms for the regular distribution of accessible information to community stakeholders on construction progress and matters associated with environmental management, including provision of information in appropriate community languages; c) procedures and mechanisms through which the community stakeholders can discuss or provide feedback to the Applicant and/or Environmental Representative in relation to the environmental management and delivery of the SSD; d) procedures and mechanisms through which the Applicant can respond to enquiries or feedback from the community stakeholders in relation to the environmental management and delivery of the SSD; and e) procedures and mechanisms that would be implemented to resolve issues/disputes that may arise between parties on the matters relating to environmental management and the delivery of the SSD, including but not limited to disputes regarding rectification or compensation for impacts to third party property and infrastructure. These procedures and mechanisms may include the use of a suitably qualified and experienced independent mediator.							
Complaints and Enquiries Procedure								
D2	Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall ensure that the following are available for community enquiries and complaints for the duration of construction: a) a 24 hour telephone number(s) on which complaints and enquiries about the SSD may be registered; b) a postal address to which written complaints and enquires may be sent; c) an email address to which electronic complaints and enquiries may be transmitted; and d) a mediation system for complaints unable to be resolved. The telephone number, the postal address and the email address shall be published in newspaper(s) circulating in the local area prior to the commencement of construction and prior to the commencement of operation. This information shall also be provided on the website (or dedicated pages) required by this approval.	X		24hr info line 1800 986 465 www.simta.com.au simta@elton.com.au PO Box 1488 Bondi Junction NSW 2022. Section 7 of the Community Communication Strategy details procedures for enquiries and complaints. A newsletter giving an update on the project was published in September 2018. No change for November 2019 audit.	C			

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D3	<p>Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall prepare and implement a Construction Complaints Management System consistent with AS ISO 100022006 Customer satisfaction - Guidelines for complaints handling in organisations (ISO 10002:2004, MOD) and maintain the System for the duration of construction and up to 12 months following completion of construction.</p> <p>Information on all complaints received, including the means by which they were addressed and whether resolution was reached, with or without mediation, shall be maintained in a complaints register and included in the construction compliance reports required by this approval. The information contained within the System shall be made available to the Secretary on request.</p>	X		<p>Section 7 of the Community Communication Strategy details procedures for enquiries and complaints, consistent with ISO 10002.</p> <p>Public complaints are logged with Elton Consulting and are responded to in accordance with the Community Consultation Strategy.</p> <p>Sighted complaints register.</p> <p>Observation:</p> <p>The complaints register provided for various MPE Stg 1 audits conducted to date, captures a number of complaints received over 2 years. These do not distinguish which package of works to which they relate (i.e.: MPE Stg 1 RALP, IMEX or MPE Stg 2 or MPW Stg 1). The complaints register published online for MPE Stg 2 shows only 1 complaint.</p>	C	O		
Provision of Electronic Information								
D4	<p>Prior to commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall establish and maintain a new website, or dedicated pages within an existing website, for the provision of electronic information associated with the SSD, for the duration of construction. The Applicant shall, subject to confidentiality, publish and maintain up-to-date information on the website or dedicated pages including, but not necessarily limited to:</p> <ul style="list-style-type: none"> a) information on the current implementation status of the SSD; b) a copy of the documents listed in condition A1, and any documentation supporting modifications to this approval that may be granted from time to time; c) a copy of this approval and any future modification to this approval; d) a copy of each relevant environmental approval, licence or permit required and obtained in relation to the SSD; 	X		<p>Sighted the website http://simta.com.au/mpe/ and http://simta.com.au/contact-us/</p> <p>The required information is present. No real-time environment data is required to be captured at this stage of the project.</p> <p>As at 17/07/2019, the duplication has been rectified and the version updated-the community consultation strategy</p>	C			

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	e) a copy of each current report, plan or other document required under this approval; f) the outcomes of compliance tracking in accordance with condition C4 of this approval; and g) details of any contact point(s) to which community complaints and enquiries may be directed, including a telephone number, a postal address and an email address real time noise, dust and water data, where such data is collected under this consent			(dated 11 January 2019) is located under <i>CEMP and Sub-plans - Import Export Terminal (IMEX No.1)</i> , and not under <i>Post Approval Documents - Import Export Terminal (IMEX No.1)</i> . No change for November 2019 audit.				
PART E CONSTRUCTION ENVIRONMENTAL MANAGEMENT								
Approved Plans to be On-site								
E1	A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, relevant Council or the Certifying Authority.	X	X	Approved and certified plans, specifications and documents incorporating conditions of approval and certification were readily available at the time of the audit.	C			
Site Notice								
E2	A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Contractor, Certifying Authority and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements: <ul style="list-style-type: none"> a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size; b) The notice is to be durable and weatherproof and is to be displayed throughout the works period; c) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and d) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted. 		X	Non-compliance from previous audit: A site notice in a prominent location was not present during the audit. Now resolved.	C			
Contact Telephone Number								

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E3	The Applicant shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.	X	X	24hr info line 1800 986 465 managed by Elton consulting whom communicates with relevant parties. Telephone complaints line tested on 28/06/19 and remains current.	C			
Environmental Representative								
E4	<p>Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall appoint a suitably qualified and experienced Environmental Representative(s) that is independent of the design and construction personnel, and that has been approved by the Secretary. The Applicant shall employ the Environmental Representative(s) for the duration of construction of this stage, or as otherwise agreed by the Secretary. The Environment Representative(s) shall:</p> <ul style="list-style-type: none"> a) be the principal point of advice in relation to the environmental performance of construction; b) monitor the implementation of environmental management plans and monitoring programs required under this approval and advise the Applicant upon the achievement of these plans/programs; c) have responsibility for considering, and advising the Applicant on, matters specified in the conditions of this approval, and other licences and approvals related to the environmental performance and impacts of construction; d) ensure that environmental auditing is undertaken in accordance with the Applicant's Environmental Management System(s); e) be given the authority to approve/reject minor amendments to the Construction Environment Management Plan. What constitutes a "minor" amendment shall be clearly explained in the Construction Environment Management Plan; f) be given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts; and g) be consulted in responding to the community concerning the environmental performance of construction where the resolution of points of conflict between the Applicant and the community is required. 	X		<p>Environmental Representative appointed for the project and was in attendance on the project site the day of the audit.</p> <p>The roles and responsibilities have been defined within the CEMP, Section 9.1.</p> <p>Sighted:</p> <ul style="list-style-type: none"> - Environmental Representative quarterly report dated 01/09/18 – 31/11/18 - Environmental Representative quarterly report (reporting period 01/09/18 – 31/11/18) - ER quarterly report submission to DPE 8/3/19 (reporting period 1/12/18 – 28/2/19) - ER quarterly report submission to DPE 12/12/18 (September to November 18) - ER quarterly report submission to DPIE 7/6/19 (report period March – May 19). - ER quarterly report submission to DPIE 6/9/19 (report period June – Aug 19). 	C			

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E5	The Environmental Representative shall prepare and submit to the Secretary a quarterly report on the Environmental Representative's actions and decisions on matters specified in condition E4. The reports shall be submitted within seven (7) days for the end of each quarter for the duration of construction, or as otherwise agreed by the Secretary. Notwithstanding, the Environmental Representative shall be given the independence to report to the Secretary at any time and/or at the request of the Secretary.	X		As above. <ul style="list-style-type: none"> - ER quarterly report submission to DPE 8/3/19 (reporting period December 18 to Feb 19) - ER quarterly report submission to DPE 12/12/18 (reporting period September to November 18) - Email correspondence between the ER and the Department regarding the delayed reporting of three ER reports. - Refer above. 	C			
Construction Soil and Water Management								
E6	Soil and water management measures consistent with Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition (Landcom, 2004) shall be employed during construction to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters.	X	X	Site inspection on 10/12/18 provided evidence of good ERSED controls including stormwater diversion and sediment basins. Sighted IMEX ECP Rev 7. No change for November 2019 audit.	C			
E7	Construction shall be undertaken to comply with section 120 of the Protection of the Environment Operations Act 1997, which prohibits the pollution of waters.	X	X	As above. Sighted EPL 21054. It contains 7x licenced water discharge points. Concentration limits are specified. Sighted dewater permits for 28/6/19 - 21/3/19. Results satisfactory prior to pumping. Sighted ALS lab report for 20/6/19. Results generally align with field results. All pumps fitted with float devices or fixed to scaffolding to prevent hitting turbid layer.	C			

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				<p>Sighted pre and post rainfall inspections for events 8/7/19, 30/8/19, 17, 18, 19/9/19. The inspections identify actions. Follow up inspections show these were completed. No issues.</p> <p>Sighted permit to discharge 6150 and 6151 for discharges from basin. no issues.</p>				
Bunding								
E8	The Applicant shall store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's Storing and Handling Liquids: Environmental Protection - Participants Handbook.	X	X	<p>Sighted dangerous goods shed and laydown area on 10/12/18.</p> <p>No change for November 2019 audit.</p>	C			
Riparian Corridor Works								
E9	All activities taking place in, on or under waterfront land, as defined in the Water Management Act 2000 should be conducted generally in accordance with the NSW Office of Water's Guidelines for Controlled Activities.	X		Outside IMEX Construction footprint. Applicable to RALP works only.				NT
Incident Reporting								
E10	<p>The Applicant shall notify the Secretary and relevant public authorities of any incident with actual or potential significant on-site or off-site impacts on human health or the biophysical environment within 24 hours of becoming aware of the incident. The Applicant shall provide full written details of the incident to the Secretary within seven days of the date on which the incident occurred.</p> <p>Note: Where an incident also requires reporting to the EPA and/or OEH, the incident report prepared for the purposes of notifying the EPA and/or OEH would meet this requirement.</p>	X	X	<p>Sighted incident register for the audit period.</p> <p>No incidents with actual or potential significant on-site or off-site impacts on human health or the biophysical environment.</p>	C			
E11	The Applicant shall meet the requirements of the Secretary or relevant public authority (as determined by the Secretary) to address the cause or impact of any	X	X	No incidents reported under E10				NT

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	incident, as it relates to this approval, reported in accordance with condition E10, within such period as the Secretary may require.							
Heritage								
E12	The Applicant shall not harm, modify or otherwise impact any heritage items outside the subject site.		X	No heritage items outside the project boundary have been encountered.				NT
Dangerous goods								
E13	<p>Dangerous goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with:</p> <ul style="list-style-type: none"> a) all relevant Australian Standards; b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin (Environment Protection Authority, 1997). <p>In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.</p>		X	<p>Sighted dangerous goods shed and laydown area on 28/6/19. Generally clean and tidy.</p> <p>Observation from previous audit: No sign identifying location or presence of SDSs at Hazchem storage. This has now been resolved.</p>	C			
Dust Management								
E14	The Applicant shall carry out all feasible and reasonable measures to minimise dust generated by the Development.		X	<p>The IMEX No 1 Air Quality Management Plan outlined measures to minimise dust generated by the development.</p> <p>Sighted:</p> <ul style="list-style-type: none"> - Water cart and street sweeper in operation during inspection 10/12/18. - Induction Rev6 with dust minimisation included. - Dustrack and DD gauge on Moorebank Ave. - Fulton Hogan Realtime dustrack data. The system records hourly 	C			

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				dust and provides alerts to environmental staff of exceedances of 50mg/m3 hrly avg - Text message alerts to Env Coordinator phone for 24 and 25/5/19. - Report to DPIE on 23 and 28/5/19 for exceedances of criteria – not attributable to site activities. - Online hourly and 24 hour dusttrack data. All readings sighted for IMEX were compliant for the audit period. Exceedances were identified for the MPE Stg 2 monitor. MPE Stg 2 is outside the scope of this audit (separate SSD consent).				
E15	During construction, the Applicant shall ensure that all loaded vehicles entering or leaving the site have their loads covered; and all loaded vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking these materials on public roads.		X	The project Air Quality Management Plan outlined measures to minimise dust generated by the development. Sighted: <ul style="list-style-type: none"> - IMEX site surveillance photos from site onto main roads for M5 haulage trucks. - inspection checklist 20190311 id checks for material. - Site environmental checklist template includes an item to check that truck loads are covered. Sighted 16/7/19, 19/9/19, 30/08/19. 	C			

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				Observation from previous audit: Whilst not attributable to any one project (IMEX, RALP, MPE Stg 2, MPW), The combination of works in the area has resulted in material tracking onto and along Moorebank Avenue. Moorebank Avenue was observed to have been cleaned after this audit. This has now been resolved.				
Waste Management								
E16	The reuse and/or recycling of waste materials generated on site shall be maximised as far as practicable, to minimise the need for treatment or disposal of those materials off site.		X	Sighted Project Induction Rev6, which includes waste recycling and correct disposal. Sighted waste register to end of October 2019. Recycling of material is generally around 90%. June 2019 rate of recycling is significantly lower than other months (19%). This may be due to a clean out or shutdown of offices.	C			
E17	All liquid and/or non-liquid waste generated on the site shall be assessed and classified in accordance with Waste Classification Guidelines (Department of Environment, Climate Change and Water 2009).		X	Sighted waste register to October 2019. All material is pre-classified under the Waste Classification Guidelines.	C			
E18	All waste materials removed from the subject site shall only be directed to a waste management facility or premises lawfully permitted to accept the materials.		X	Sighted waste register to October 2019. All material is pre-classified under the Waste Classification Guidelines. Sighted grasshopper July 2019 report. The report template identifies facilities by code. No material is being disposed of to offsite developments under s143.	C			
Construction Hours								

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E19	<p>Construction shall be undertaken during the following standard construction hours:</p> <p>a) 7:00am to 6:00pm Mondays to Fridays, inclusive; and</p> <p>b) 8:00am to 1:00pm Saturdays;</p> <p>at no time on Sundays or public holidays.</p>		X	<p>The CNVMP includes this requirement.</p> <p>Sighted induction Rev 6. Hours of operation are specified.</p> <p>Out of hours works applications;</p> <ul style="list-style-type: none"> - Sighted OOHW no.15 application 14/09/18 - Sighted OOHW no.11 application 17/05/18 - Sighted OOHW no 028 application 07/06/19 – ongoing. Works modelled to be <5db above BG, and ER approval 07/06. - Sighted OOHW no.022 application 04/03/19. Works modelled as inaudible. <p>Sighted notification to residents of upcoming OOHW on 2/7/19 (issued 27/6/19). Sighted letterbox drop distribution map for OOHW for Telstra works under Piccolo me.</p> <p>8 x OOHW for the audit period June – November 19. All had modelling completed for it. Sighted approvals for Sydney Water cutover (identified as being >5db(A) above background and was approved by ER). Sighted register for remainder were below 5dB(A) above background. No issues.</p> <p>Notifications available on website https://simta.com.au/news/</p>	C			

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				The information includes mitigation measures, noise impact assessment, identification of source and receivers.				
E20	<p>Activities resulting in a high noise impact shall only be undertaken:</p> <ul style="list-style-type: none"> a) between the hours of 8:00 am to 5:00 pm Monday to Friday; b) between the hours of 8:00 am to 1:00 pm Saturday; and c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block. <p>For the purposes of this condition, 'continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work the subject of this condition.</p>		X	<p>The CNVMP includes this requirement. Sighted induction Rev 6. Hours of operation are included. No activities resulting in high noise impact have occurred. Whilst the induction includes standard hours of works, there does not appear to be any communication to the workforce on further restrictions on high noise impact activities.</p> <p>No change.</p>	C			
E21	<p>Notwithstanding conditions E20 and E21, works may be undertaken outside the hours specified under those conditions in the following circumstances:</p> <ul style="list-style-type: none"> a) construction works that cause LAeq (15 minute) noise levels that are: <ul style="list-style-type: none"> i. No more than 5 dB above rating background level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009); and ii. No more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive land uses; or b) for the delivery of materials required by the police or other authorities for safety reasons; or c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or d) construction works approved through an Out-Of-Hours Work Protocol prepared as part of the Construction Noise and Vibration Management Plan required by condition E35(b), provided the relevant Council, local residents and other affected stakeholders and sensitive receivers are informed of the timing and duration at least 48 hours prior to the commencement of the works; or 		X	<p>Out of hours works applications;</p> <ul style="list-style-type: none"> - Sighted OOHW no 028 application 07/06/19 – ongoing. Works modelled to be <5db above BG, and ER approval 07/06. - Sighted OOHW no.022 application 04/03/19. Works modelled as inaudible. - 8 x OOHW for the audit period June – November 19. All had modelling completed for it. Sighted approvals for Sydney Water cutover (identified as being >5db(A) above background and was approved by ER). Sighted register for remainder were below 5dB(A) above background. No issues. 	C			

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	e) identified works approved by the Secretary.			These include mitigation measures, noise impact assessment, identification of source and receivers.				
Construction Noise and Vibration								
E22	<p>The Applicant shall implement all feasible and reasonable noise mitigation measures with the aim of achieving the following construction noise management levels and vibration criteria:</p> <ul style="list-style-type: none"> a) construction noise management levels established using the Interim Construction Noise Guideline (DECC 2009); b) vibration criteria established using the Assessing Vibration: a Technical Guide (DECC 2006) (for human exposure); and c) the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures (for structural damage). <p>Any construction activities identified as exceeding the construction noise management levels and/or vibration criteria shall be managed in accordance with the Construction Noise and Vibration Management Plan required by condition E35(b).</p> <p>Note: The Interim Construction Noise Guideline identifies 'particularly annoying' activities that require the addition of 5dB (A) to the predicted level before comparing to the construction Noise Management Level.</p>		X	<p>Mitigation measures are defined in CNVMP which align with specified guidelines.</p> <p>The nearest residential receiver is approx. 800m away. Noise impacts arising from construction of the Project are not significant.</p> <p>No change for November 2019 audit.</p>	C			
Construction Traffic Noise								
E23	<p>The Applicant is to ensure that construction vehicles operate so as to minimise any construction noise impacts from the construction site. Measures that could be used include toolbox talks, contracts that include provisions to deal with unsatisfactory noise performance for the vehicle and/or the operator, and specifying non-tonal movement alarms in place of reversing beepers or alternatives such as reversing cameras and proximity alarms, or a combination of these, where tonal alarms are not mandated by legislation.</p>		X	<p>Defined in the CNVMP</p> <p>No non-tonal reverse beepers were observed during the site audit on 28/6/19.</p> <p>Sighted induction Rev 6. Mitigation measures specified, including use of dampeners.</p> <p>The nearest residential receiver is approx. 800m away. Noise impacts arising from construction of the Project are not significant.</p>	C			

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				No change for November 2019 audit.				
E24	No use of compression brakes shall be permitted for construction vehicles associated with construction in the vicinity of the subject site.		X	Defined in the CNVMP. No issues observed on site on 28/6/19. No steep grades present in vicinity of the Project. There is no demand for compression braking. No change for November 2019 audit.	C			
Review of Operational Sleep Disturbance Impacts								
E25	The Applicant shall prepare a review of sleep disturbance impacts based on detailed design, including: <ul style="list-style-type: none"> a) An assessment of how often noise events occur, the time of day they occur and whether there are any times of day when there is a clear change in the noise environment; b) Confirm the operational sleep disturbance predictions identified in the documents listed under Condition A1; and c) Consider appropriate noise mitigation measures where required. The report shall be prepared in consultation with the EPA and be submitted to the satisfaction of the Secretary within 6 months of commencement of construction, unless otherwise agreed by the Secretary.	X		Sighted DPIE letter of acceptance dated 13/07/18. No change for November 2019 audit.	C			
Transport and Access								
E26	A Road Occupancy Licence (ROL) must be obtained from the Transport Management Centre (TMC) for any activity likely to impact on the operational efficiency of the road network, allowing the use of specified public road space at approved times. The Applicant must allow a minimum of 10 working days for processing from date of receipt and include a Traffic Control Plan with any application.		X	ROL not required for these works. A road safety audit was undertaken on 11/5/17. Consultation was undertaken with LCC, CCC and TfNSW. Combined comments were received from TfNSW and RMS on 27 June 2017. A response was submitted to RMS and TfNSW on 11 August 2017. Consultation is now considered closed. No change for November 2019 audit.	C			

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E27	Construction shall be carried out, where feasible and reasonable, to avoid the use of local roads (through residential streets) by heavy vehicles to gain access to the site and/or ancillary facilities.		X	Defined in CTAMP and Project Induction and heavy vehicles primarily gain access to IMEX No 1 site from M4 via Moorebank Ave. Sighted the haulage route map sent to delivery drivers 10/12/18. No change.	C			
E28	Construction vehicles (including staff vehicles) shall be managed to: a) minimise parking or queuing on public roads; b) minimise idling and queuing in local residential streets where practicable; c) adhere to the nominated haulage routes identified in the Construction Traffic and Access Management Plan required under condition E35(a); and ensure access and egress from construction compounds is undertaken in a safe and lawful manner.		X	Defined in CTAMP and Sighted in Project induction. IMEX No 1 site contains ample space for construction vehicle parking and queuing eliminating any need to queue outside the site. Haulage routes and parking locations are well defined on site. Induction Rev 6 includes brief statement on site entrance. Sighted correspondence from FH to haul company, dated 11/4/19, for HBB import campaign. It provides the VMP for the works. Sighted HBB prestart communicating VMP to workforce. Moorebank Avenue is not a public road. No issues observed. Ample space is available on site.	C			
E29	Safe pedestrian and cyclist access through or around worksites shall be maintained during construction. In circumstances where pedestrian and cyclist access is restricted due to construction activities, a satisfactory alternate route shall be provided and signposted, including provision of temporary footpaths where pedestrian access is reliant on grassed verges.		X	IMEX No 1 works do not currently extend onto public roads to the extent where pedestrian and cycle access would be restricted. Access remains generally the same as prior to works. No change for November 2019 audit.	C			
E30	Access to all properties affected by the carrying out of construction shall be maintained, where feasible and reasonable, unless otherwise agreed by the		X	IMEX No 1 works do not impact other private properties.				NT

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	relevant property owner or occupier. Any access physically affected by construction shall be reinstated to at least an equivalent standard, unless agreed with by the property owner.							
Biodiversity								
E31	No threatened species or communities can be cleared other than that required for construction.		X	Threatened native vegetation is outside the limits of the IMEX No 1 site and clearly demarcated with No Go Zone flagging and fencing. No change for November 2019 audit.	C			
E31A	Where any threatened flora species are to be cleared, individual plants of species suitable for translocation shall be considered for translocation into areas that have been identified as requiring rehabilitation within the Biodiversity Offset Package.	X	X	Refer above.	C			
E32	The existing mature trees located on the eastern side of Moorebank Avenue shown on Drawing LA01 (Landscape Master plan) dated 30.3.2015 shall be retained, unless where required to be removed for construction of a permanent access point to the terminal site. Trees to be retained shall be protected and maintained during preconstruction and construction activities in accordance with AS4970-2009 Protection of trees on development sites. Details of tree protection must be provided to the Certifying Authority prior to the commencement of construction.		X	The trees along Moorebank Avenue were removed in second half of 2018 to allow for permanent works. Sighted correspondence between SIMTA and DPIE dated 30/08/2018 and 25/09/2018. No issues. No change for November 2019 audit.	C			
Construction Environmental Management Plan								
E33	Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall prepare and implement a Construction Environmental Management Plan (CEMP). The CEMP is to be prepared in consultation with the EPA, OEH, DPI Water, DPI Fisheries, and the relevant Council, for the approval of the Secretary. The CEMP shall outline the environmental management practices and procedures that are to be followed during construction. The CEMP is to be prepared in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004). The Secretary shall consider the comments of the office of Strategic Lands in its consideration of the CEMP. The CEMP shall include, but not necessarily be limited to:	X		Approved CEMP on website. Minor amendments continue to be approved by the ER to ensure they are fit for purpose. These changes have not triggered the need for Departmental approval. Implementation of CEMP evidenced through this audit. Construction is near completion and operations is about to commence (subject to approval).	C			

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	<ul style="list-style-type: none"> a) a description of activities to be undertaken during construction; b) statutory and other obligations that the Applicant is required to fulfil during construction, including approvals, consultations and agreements required from authorities and other stakeholders under key legislation and policies; c) a description of the roles and responsibilities for relevant employees involved in construction, including relevant training and induction provisions for ensuring that employees, including contractors and sub-contractors, are aware of their environmental and compliance obligations under these conditions of approval; d) an environmental risk analysis to identify the key environmental performance issues associated with construction; and e) details of how environmental performance would be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified potential adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the CEMP: <ul style="list-style-type: none"> i) measures to monitor and manage dust emissions including dust from stockpiles, traffic on unsealed internal roads and materials tracking from construction sites onto public roads; ii) measures for the handling, treatment and management of hazardous and contaminated materials (including asbestos); iii) measures to monitor and manage waste generated during construction including but not necessarily limited to: general procedures for waste classification, handling, reuse, and disposal; use of secondary waste material in construction wherever feasible and reasonable; procedures or dealing with green waste including timber and mulch from clearing activities; and measures for reducing demand on water resources (including potential for reuse of treated water from sediment control basins); iv) measures to monitor and manage hazard and risks; 							

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	<p>v) measures to monitor and rectify any impacts to third party property and infrastructure, including details of the process for rectification or compensation of affected landowners, and timeframes for rectification works or compensation processes; and</p> <p>vi) the issues identified in condition E34.</p> <p>The CEMP shall include procedures for its periodic review and update (including the sub-plans required under condition E35, as necessary (including where minor changes can be approved by the Environmental Representative). The CEMP shall be submitted for the approval of the Secretary no later than one month prior to the commencement of construction, or as otherwise agreed by the Secretary. The CEMP may be prepared in stages; however, construction shall not commence until written approval of the relevant stage has been received from the Secretary.</p> <p>The approval of a CEMP does not relieve the Applicant of any requirement associated with this approval. If there is an inconsistency with an approved CEMP and the conditions of this approval, the requirements of this approval shall prevail.</p>							
Construction Environmental Management Plan – Sub Plans								
E34	<p>As part of the CEMP for the SSD, the Applicant shall prepare and implement:</p> <p>a) a Construction Traffic and Access Management Plan to ensure traffic and access controls are implemented to avoid or minimise impacts on traffic, pedestrian and cyclist access, and the amenity of the surrounding environment. The Plan shall be developed in consultation with the relevant Council, emergency services, road user groups, and relevant pedestrian and bicycle user groups, and include, but not necessarily be limited to:</p> <p>i) identification of construction traffic routes and construction traffic volumes (including heavy vehicle/spoil haulage) on these routes;</p>	X		<p>Approved CTAMP and CEMP on website</p> <p>Minor amendments continue to be approved by the ER to ensure they are fit for purpose. These changes have not triggered the need for Departmental approval.</p> <p>Implementation of CEMP evidenced through this audit. Construction is near completion and operations is about to commence (subject to approval).</p>	C			

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	<ul style="list-style-type: none"> ii) details of vehicle movements for construction sites and ancillary facilities including parking, dedicated vehicle turning areas, and ingress and egress points; discussion of construction impacts that could result in disruption of traffic, public transport, pedestrian and cycle access, access to public land, property access, including details of oversize load movements, and the nature and duration of those impacts; iii) discussion of construction impacts that could result in disruption of traffic, public transport, pedestrian and cycle access, access to public land, property access, including details of oversize load movements, and the nature and duration of those impacts; iv) details of management measures to minimise traffic impacts, including temporary road work traffic control measures, onsite vehicle queuing and parking areas and management measures to minimise peak time congestion and measures to ensure safe pedestrian and cycle access; v) details of measures to maintain or provide alternative safe and accessible routes for pedestrians throughout the duration of construction; vi) details of measures to maintain connectivity for cyclists, with particular emphasis on providing adequate access between key existing cycle routes for commuter cyclists; vii) details of measures to manage traffic movements, parking, loading and unloading at ancillary facilities during out-of-hours work; viii) details of methods to be used to communicate proposed future traffic changes to affected road users, pedestrians and cyclists, consistent with the Community ix) Communication Strategy required under condition D1; x) an adaptive response plan which sets out a process for response to any traffic, construction or other incident; and xi) (x) mechanisms for the monitoring, review and amendment of this plan. 							

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E34	<p>b) a Construction Noise and Vibration Management Plan to detail how construction noise and vibration impacts will be minimised and managed. The Plan shall be consistent with the guidelines contained in the Interim Construction Noise Guidelines (Department of Environment and Climate Change 2009). The plan shall be developed in consultation with the EPA and shall include, but not be limited to:</p> <ul style="list-style-type: none"> i) identification of the work areas, site compounds and access points; ii) identification of sensitive receivers and relevant construction noise and vibration goals applicable to the SSD and stipulated in the conditions above; iii) details of construction activities and an indicative schedule for works, including the identification of key noise and/or vibration generating construction activities (based on representative construction scenarios, including at ancillary facilities) that have the potential to generate noise and/or vibration impacts on surrounding sensitive receivers, particularly residential areas; iv) an Out-of-Hours Work Protocol for the assessment, management and approval of works outside of standard construction hours as defined in condition E19 of this approval, for the Secretary's approval. The Out-of-Hours Work Protocol must detail: <ul style="list-style-type: none"> (a) assessment of out-of-hours works against the relevant noise and vibration criteria; (b) detailed mitigation measures for any residual impacts (that is, additional to general mitigation measures), including extent of at receiver treatments; and (c) proposed notification arrangements. v) identification of feasible and reasonable measures proposed to be implemented to minimise and manage noise impacts (including construction traffic noise impacts), including, but not limited to, acoustic enclosures, erection of noise walls (hoardings) and respite periods; 	X		<p>Approved CNVMP and CEMP on website, it specifies how the plan meets the condition.</p> <p>Minor amendments continue to be approved by the ER to ensure they are fit for purpose. These changes have not triggered the need for Departmental approval.</p> <p>Implementation of CEMP evidenced through this audit. Construction is near completion and operations is about to commence (subject to approval).</p>	C			

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	<ul style="list-style-type: none"> vi) identification of feasible and reasonable procedures and mitigation measures to ensure relevant vibration criteria are achieved, including applicable buffer distances for vibration intensive works, use of low vibration generating equipment/ vibration dampeners or alternative construction methodology, and pre- and post- construction dilapidation surveys of sensitive structures where blasting and/ or vibration is likely to result in damage to buildings and structures (including surveys being undertaken immediately following a monitored exceedance of the criteria); vii) a description of how the effectiveness of mitigation and management measures would be monitored during construction, clearly indicating how often this monitoring would be conducted, the locations where monitoring would take place, how the results of this monitoring would be recorded and reported, and, if any exceedance is detected, how any noncompliance would be rectified; and viii) mechanisms for the monitoring, review and amendment of this plan 							
E34	<p>c) a Construction Heritage Management Plan to ensure construction impacts on Aboriginal and non-Aboriginal heritage will be appropriately avoided minimised and managed. The Plan shall be developed in consultation with OEH, the relevant Council, the NSW Heritage Council (for non-Aboriginal State heritage items) and the relevant Local Aboriginal Land Councils (for Aboriginal heritage), and include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i) in relation to Aboriginal Heritage: <ul style="list-style-type: none"> (a) details of management measures to be carried out in relation to Aboriginal heritage, including a detailed methodology and strategies for protection, monitoring, and conservation of sites and items; 	X		<p>HMP available on website CEMP , it specifies how the plan meets the condition.</p> <p>Minor amendments continue to be approved by the ER to ensure they are fit for purpose. These changes have not triggered the need for Departmental approval.</p> <p>Implementation of CEMP evidenced through this audit. Construction is near completion and operations is about to commence (subject to approval).</p>	C			

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	<p>(b) procedures for dealing with previously unidentified Aboriginal objects (excluding human remains), including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures, including when works can re-commence, by a suitably qualified and experienced archaeologist in consultation with the Secretary and Aboriginal stakeholders, assessment of the consistency of any Aboriginal heritage impacts against the approved impacts of the SSD, and, where relevant, registration in the OEH's Aboriginal Heritage Information Management System (AHIMS) register;</p> <p>(c) procedures for dealing with human remains, including cessation of works in the vicinity, notification of Secretary, NSW Police Force, OEH and Aboriginal stakeholders, and commitment to cease recommencing any works in the area unless authorised by the OEH and/or the NSW Police Force;</p> <p>(d) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) and obligations under the conditions of this approval including site identification, protection and conservation of Aboriginal cultural heritage; and</p> <p>(e) procedures for ongoing Aboriginal consultation and involvement for the duration of construction; and</p> <p>ii) in relation to non-Aboriginal Heritage:</p> <p>(a) identification of heritage items directly and indirectly affected by construction;</p> <p>(b) b) consideration of methods to prevent damage to any retained heritage items, including:</p>							

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	<p>(c) details of management measures to be implemented to prevent and minimise impacts on heritage items (including further heritage investigations, archival recordings and/or measures to protect unaffected sites during construction works in the vicinity);</p> <p>(d) details of monitoring and reporting requirements for impacts on heritage items;</p> <p>(e) procedures for dealing with previously unidentified heritage objects, (including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a suitably qualified and experienced archaeologist in consultation with the OEH, NSW Heritage Council and the Secretary, assessment of the consistency of any heritage impacts against the approved impacts of the SSD, and, where relevant, notification of the Heritage Council of NSW in accordance with section 146 of the Heritage Act 1977; and</p> <p>(f) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions and obligations under this approval including site identification, protection and conservation of non-Aboriginal cultural heritage; and</p> <p>iii) mechanisms for the monitoring, review and amendment of this plan.</p>							
E34	<p>d) a Construction Flora and Fauna Management Plan to detail how impacts on ecology (as detailed in the most recent mapping endorsed by OEH) will be minimised and managed. The Plan shall be developed by a suitably qualified and experienced ecologist and in consultation with the OEH, and shall include, but not necessarily be limited to:</p>	X		<p>FFMP available on website CEMP, it specifies how the plan meets the condition.</p> <p>Minor amendments continue to be approved by the ER to ensure they are fit for purpose. These changes have not</p>	C			

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	<ul style="list-style-type: none"> i) plans for impacted and adjoining areas showing vegetation communities; important flora and fauna habitat areas; locations where threatened species, populations or ecological communities have been recorded; including pre-clearing surveys to confirm the location of threatened flora and fauna species and associated habitat features; ii) the identification of areas to be cleared and details of management measures to avoid residual habitat damage or loss and to minimise or eliminate time lags between the removal and subsequent replacement of habitat such as: <ul style="list-style-type: none"> (a) clearing minimisation procedures (including fencing), (b) clearing procedures (including nest box plan), (c) removal and relocation of fauna during clearing, (d) habitat tree management, and (e) construction worker education; (f) installation of exclusion fencing prior to commencement of construction. iii) rehabilitation details, including identification of flora species and sources, and measures for the management and maintenance of rehabilitated areas; iv) a Weed Management Strategy, incorporating weed management measures focusing on early identification of invasive weeds and effective management controls (including for those related to aquatic and riparian zones); v) a description of how the effectiveness of these management measures would be monitored; vi) a procedure for dealing with unexpected EEC/ threatened species identified during construction, including cessation of work and notification of the OEH and DPI Fisheries, determination of appropriate mitigation measures in consultation with the OEH and DPI Fisheries (including relevant re-location measures) and updating of ecological monitoring and/ or biodiversity offset requirements; and 			<p>triggered the need for Departmental approval.</p> <p>Implementation of CEMP evidenced through this audit. Construction is near completion and operations is about to commence (subject to approval).</p>				

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	vii) mechanisms for the monitoring, review and amendment of this plan.							
E34	<p>e) a Construction Air Quality Management Plan to detail how impacts on local air quality will be minimised and managed. The Plan shall be developed in consultation with the EPA, and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i) identification of sources (including stockpiles and open work areas) and quantification of airborne pollutants; ii) key performance indicators for local air quality during construction; iii) details of monitoring methods, including location, frequency and duration of monitoring; iv) mitigation measures to minimise impacts on local air quality; v) procedures for record keeping and reporting against key performance indicators; vi) provisions for implementation of additional mitigation measures in response to issues identified during monitoring and reporting; and vii) mechanisms for the monitoring, review and amendment of this plan. 	X		<p>AQMP available on website CEMP, it specifies how the plan meets the condition.</p> <p>Minor amendments continue to be approved by the ER to ensure they are fit for purpose. These changes have not triggered the need for Departmental approval.</p> <p>Implementation of CEMP evidenced through this audit. Construction is near completion and operations is about to commence (subject to approval).</p>	C			
E34	<p>f) a Construction Soil and Water Management Plan to manage surface and groundwater impacts during construction. The plan shall be developed in consultation with, EPA, NSW Office of Water, and relevant Councils, and include, but not necessarily be limited to;</p> <ul style="list-style-type: none"> i) details of construction activities and their locations, which have the potential to impact on water courses, storage facilities, stormwater flows, and groundwater, including identification of all pollutants that may be introduced into the water cycle; ii) potential impacts on watercourse bank stability and the development of appropriate mitigation measures as required; iii) emergency response procedures addressing potential flood impacts or spill incidents; 	X		<p>SWMP available on website CEMP, it specifies how the plan meets the condition.</p> <p>Minor amendments continue to be approved by the ER to ensure they are fit for purpose. These changes have not triggered the need for Departmental approval.</p> <p>Implementation of CEMP evidenced through this audit. Construction is near completion and operations is about to commence (subject to approval).</p>	C			

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	<ul style="list-style-type: none"> iv) an Erosion and Sediment Control Plan, detailing measures to manage any erosion and sedimentation impacts into the Georges River or Anzac Creek; v) an Acid Sulfate Soils Management Plan, if required, including measures for the management, handling, treatment and disposal of acid sulfate soils, including monitoring of water quality at acid sulfate soils treatment areas, should construction activities impact on acid sulfate soils; vi) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be undertaken, the locations where monitoring would take place, how the results of the monitoring would be recorded and reported, and, if any exceedance of the criteria is detected how any noncompliance can be rectified; and vii) mechanisms for the monitoring, review and amendment of this plan. 							
PART F PRIOR TO OPERATIONS								
Post-Construction Dilapidation Report								
F1	<p>The Applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works:</p> <ul style="list-style-type: none"> a) This report is to ascertain whether the construction works created any structural damage to footpaths, roads, buildings and other utilities in the vicinity of the development. b) The report is to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Certifying Authority must: <ul style="list-style-type: none"> i) compare the post-construction dilapidation report with the pre-construction dilapidation report ; and ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads as a result of construction. 	X		<p>NT</p> <p>The Auditor notes that SIMTA are progressively closing these conditions out, however as operations have yet to commence the conditions continue to be assigned as not triggered.</p> <p>Sighted post construction dilapidation reports AD2992A-G, prepared. These have yet to be reviewed by CPB and SIMTA.</p>				NT

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	c) The report shall be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS and the Secretary.							
Easements								
F2	Prior to the commencement of operation, the Applicant shall submit the final draft section 88B instrument, if relevant to the Certifying Authority and the Secretary for information.	X		Sighted memo 03/03/19 submitting final s88B instruments to the Department. These were also provided to the Certifying Authority.	C			
External Lighting								
F3	External Lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the Applicant shall submit to the Certifying Authority, in consultation with the relevant Council and RMS, evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.	X		Operations yet to commence. Sighted Moorebank Logistics Park Lighting Design Report (Northrop 2019). It states that lighting is in compliance with AS4282. Sighted RMS consultation 11/6/19. Comments were received and Tactical are still addressing the comments. Sighted consultation with Council 17/6/19. They advised that they would not be commenting. The updated lighting design is yet to be submitted to the PCA for approval.				NT
Operation Environmental Management Plan								
F4	The Applicant shall prepare and implement (following approval) an Operation Environmental Management Plan (OEMP). The Plan shall outline the environmental management practices and procedures that are to be followed during operation, and shall be prepared in consultation with relevant agencies and in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004). The Plan shall include, but not necessarily be limited to:	X		OEMP Rev10, 30/07/19 Department letter of approval 09/09/19	C			

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	<ul style="list-style-type: none"> d) a description of activities to be undertaken during operation (including staging and scheduling); e) statutory and other obligations that the Applicant is required to fulfil during operation, including approvals, consultations and agreements required from authorities and other stakeholders under key legislation and policies; f) overall environmental policies, guidelines and principles to be applied to the operation of the project; g) a description of the roles and responsibilities for relevant employees involved in the operation of the project, including relevant training and induction provisions for ensuring that employees are aware of their environmental and compliance obligations under these conditions of approval; h) an environmental risk analysis to identify the key environmental performance issues associated with the operation phase; i) details of management and monitoring of environmental performance, including the actions to be taken to address identified potential adverse environmental impacts (and any impacts arising from staging of the project construction). In particular, the following environmental performance issues shall be addressed in the Plan: <ul style="list-style-type: none"> i) noise emissions including measures for regular performance monitoring of noise generated by the project and measures to proactively respond to and deal with noise complaints; ii) a description of the proposed and/or implemented measures to minimise visual impact project components, such as landscaping and design considerations; iii) procedures for the monitoring and maintenance of the watercourse crossings to achieve stable creek bed and banks; iv) and air emissions including measures for regular performance monitoring of air quality generated by the Project and measures to proactively respond to and deal with air quality complaints. 							

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	<p>The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation, or as otherwise agreed by the Secretary.</p> <p>Operation shall not commence until written approval has been received from the Secretary.</p> <p>The approval of an Operation Environmental Management Plan does not relieve the Applicant of any requirement associated with this project approval. If there is an inconsistency with an approved Operation Environmental Management Plan and the conditions of this approval, the requirements of this approval prevail.</p>							
Operational Noise								
F5	<p>Prior to the commencement of operation, the Applicant shall prepare a Brake Squeal Report on brake squeal identifying the following:</p> <ul style="list-style-type: none"> a) The extent of brake squeals across the fleet of rail vehicles that will frequently use the terminals. This should identify the number of occurrences of brake squeal, the typical noise levels associated with brake squeal (including the frequency content), and the operational conditions under which brake squeal occurs (e.g. under light braking, hard braking, low / medium / high speed, effects of temperature and weather, etc.); b) The root cause of brake squeal, including the influence of the design, set-up and maintenance of both brake shoes and brake rigging; c) Possible solutions to mitigate or eliminate brake squeal, including modifications to brake rigging and alternative brake shoe designs and compounds; and d) Any monitoring system proposed to capture brake squeal. 	X		<p>Operations have yet to commence.</p> <p>Not applicable to IMEX (RALP)</p>				NT
F5A	<p>The Applicant shall prepare and implement (following approval) a Container Noise Barrier Management Plan (CNBMP). The plan shall be prepared by a suitably experienced and qualified acoustics consultant and shall outline the management practices and procedures that are to be followed during night-time operation of the site and for the stacking of containers to be used as noise barriers. The plan shall include, but not necessarily be limited to:</p>	X		<p>Container Noise Barrier Management Plan (CNBMP).</p> <p>Department notice of approval 16/08/19.</p>	C			

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	<p>a) the preparation of a specification for the stacking of containers to achieve the required level of noise reduction so as to comply with the project specific noise levels** and the sleep disturbance trigger levels*** for the night-time period* at the nearest affected residential receivers and which is to include such details as the minimum numbers of containers, their locations, stacking heights, orientation and maximum gap between containers. The Plan shall include any restrictions on stacking of containers above two high if this is found necessary.</p> <p>b) the measurement of noise from operation of the site and an assessment of compliance with the project specific noise levels and the sleep disturbance trigger levels at the nearest affected residential receivers at the following times:</p> <p>i) not less than 3 months and not more than 6 months after commencement of operation, noise surveys shall be conducted on three separate nights for a period of not less than 2 hours whilst train wagons are being loaded with containers;</p> <p>ii) thereafter for 6 months on one night per month for a period of not less than 2 hours whilst train wagons are being loaded with containers.</p> <p>iii) Noise measurements shall be conducted in accordance with the EPA's Industrial Noise Policy</p> <p>c) the details of each noise survey shall be documented in a report with a drawing showing the observed location of containers which are subject to the Plan, the measurement equipment used, its calibration status, environmental conditions, receiver locations, methodology, a detailed description of the activities on site, the results obtained and whether or not compliance has been achieved with the project specific noise levels and the sleep disturbance trigger levels at the nearest affected residential receivers.</p> <p>d) if the report concludes that the project specific noise levels and the sleep disturbance trigger levels for the night-time period at the nearest affected residential receivers are not being complied with, then recommendations shall be made by the acoustic consultant to amend the Plan accordingly and the Applicant shall implement those recommendations as soon as practical provided they are feasible and reasonable.</p>							

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	<p>e) the Plan shall include a description of the roles and responsibilities for relevant employees involved in the operation of the CNBMP, including relevant training and induction provisions for ensuring that employees are aware of their environmental and compliance obligations under the Plan.</p> <p>The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation. Copies of the detailed reports and the Plan (as amended) shall be provided to the Secretary and made available on the Project Website.</p> <p>* The night-time period is defined as 10pm-7am Mon-Sat and 10pm-8am Sundays and Public Holidays</p> <p>** Contained within the LAEq (15 min) column in Table A in Condition F5B</p> <p>*** Contained within the Review of Operational Sleep Disturbance Impacts</p>							
F5B	<p>Industrial noise (excluding activities covered by the NSW Rail Infrastructure Noise Guideline) generated by the development is to be measured and evaluated for compliance generally in accordance with the relevant requirements of the NSW Industrial Noise Policy (as may be updated from time to time).</p> <p>Table A contains the Noise Criteria dB(A).</p> <p>Note: References to sensitive receivers should be read in conjunction with the description of sensitive receivers in the EIS noting that Casula includes Glenfield Farm.</p>	X		<p>NT</p> <p>This condition relates to operations. Which have yet to commence. The Auditor notes that this is addressed in the ONVMP.</p>				NT
F5C	<p>The noise criteria in Table A of condition F5B are to apply under all meteorological conditions except the following:</p> <ul style="list-style-type: none"> a) wind speeds greater than 3 m/s at 10 metres above ground level; or b) stability category F temperature inversion conditions and wind speeds greater than 2 m/s at 10 m above ground level; or c) stability category G temperature inversion conditions. 	X		<p>NT</p> <p>This condition relates to operations. Which have yet to commence.</p>				NT
Traffic Management								
F6	<p>The Applicant shall prepare and implement (following approval) an Operational Traffic Management Plan to for the proposed vehicle booking system. The plan shall be prepared in consultation with the Cargo Movement Coordination Centre and include details on container turnaround times and interoperable technology (such as Port Botany RFID tags). The Plan shall be submitted for the approval of</p>	X		<p>NT</p> <p>Operations have yet to commence. The OTAMP has been prepared. Comments have been received from RMS. Once ready it will be submitted to</p>				

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	the Secretary no later than one month prior to the commencement of operation, or as otherwise agreed by the Secretary.			DPIE for approval. This approval is pending.				
F7	The Applicant shall undertake signal decommissioning (where required) in consultation with RMS prior to the commencement of operation. The Applicant shall bear the full cost associated with the decommissioning/removal/disposal of the traffic signals and associated equipment.	X		NT Note RMS do not have any signals on Moorebank Avenue (private road). Lights will be decommissioned as part of MPE Stg2 works. The entire road will be realigned and dedicated to RMS under MPE Stg 2. This will never be triggered under MPE Stg 1.				NT
F8	The Applicant shall create an easement within the site at the traffic signals to allow RMS to maintain traffic signal components, if required by the design and condition C25. If no easement is required, access to signals should be maintained for maintenance purposes at all times.	X		NT Note RMS do not have any signals on Moorebank Avenue (private road). Lights will be decommissioned as part of MPE Stg2 works. The entire road will be realigned and dedicated to RMS under MPE Stg 2. This will never be triggered under MPE Stg 1.				NT
DURING OPERATIONS								
Damage Rectification								
G1	Within 6 weeks of commencement of operation, unless otherwise agreed by the Secretary, the Applicant shall undertake road pavement deflection testing of the truck routes as defined by Condition E34(a). If the deflection tests show an increase in deflection as a result of the truck routes associated with construction, the Applicant shall undertake pavement rehabilitation of the affected road pavements to achieve the pavement deflection that existing prior to the commencement of works.	X		NT The entire road will be realigned and dedicated to RMS under MPE Stg 2. This will never be triggered under MPE Stg 1.				NT
G2	Within 3 months of commencement of operation, unless otherwise agreed by the Secretary, the Applicant shall carry out rectification work to the extent of the damage resulting from the construction works at the Applicant's expense and to the reasonable requirements of the owners.	X		NT The entire road will be realigned and dedicated to RMS under MPE Stg 2. This will never be triggered under MPE Stg 1.				NT

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		PRINCIPAL	CONTRACTOR		C	O	NC	NT
Registration of Easements								
G3	Within 3 months of commencement of operation, the Applicant shall provide to the Certifying Authority evidence that all easements required by this approval, and other licences, approvals and consents, have been lodged for registration or registered at the NSW Land and Property Information.	X		NT No easements exist or are required under the MPE Stg 1 footprint. Easements will be required under MPE Stg 2 footprint (separate to this approval). This will not be triggered under MPE Stg 1.				NT
Signage								
G4	Signage shall be installed in accordance with Drawing A3001 Issue C (Terminal - Signage Details) dated 14/04/2015, unless otherwise agreed by the Secretary.	X		NT Operations are yet to commence. This is addressed under the UDLP. The UDLP was approved on 28/2/19. Updates have occurred since approval to capture update to stormwater swales being removed to enable MPE Stg 2 works on Moorebank Ave (this is addressed in an AA that accompanied the submission).				NT
Dangerous Goods								
G5	The quantities of Dangerous Goods present at any time on the site or transported from and to the terminal site shall be kept below the screening threshold quantities listed in the Hazardous and Offensive Development Guidelines Applying SEPP 33, (DPIE 2011). The screening threshold quantities for each Dangerous Goods shall be defined in accordance with Table 1: Screening Methods of Applying SEPP 33.	X		NT Operations have yet to commence.				NT
Operational Noise, Air Quality, Monitoring and Reporting								
G6	Port shuttle operations must use:	X		The Locomotive Best Practice Review was developed in consultation with EPA and TfNSW and a final document has been issued, with confirmation from both	C			

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	<p>a) Locomotives that incorporate available best practice noise and emission technologies. Prior to the construction of the rail link connecting to the site, the Applicant must submit a report to the Secretary for consideration and approval that has been prepared in consultation with TfNSW and the EPA that justifies the technology proposed and how it meets the objective of best practice noise and emission technologies; and</p> <p>b) Wagons that incorporate available best practice noise technologies such as "onepiece" freight bogies or three-piece freight bogies fitted with cross-bracing or steering arms; and, permanently coupled 'multi-pack' steering wagons using Electronically Controlled Pneumatic (ECP) braking with a wire based distributed power system (or better practice technology). Prior to the commencement of operation, the Applicant must submit a report to the Secretary for consideration and approval that has been prepared in consultation with TfNSW and the EPA that justifies the technology proposed and how it meets the objective of best practice noise technologies.</p>			<p>parties that consultation comments have been closed out in the final report. This was approved by the Department on 17/09/2017.</p> <p>Best Practice Wagon Report G6(b) (Revision 09 16/07/19)</p> <p>Department letter of approval, subject to conditions, dated 16/08/19.</p>				
G7	<p>The Applicant shall install and maintain a rail noise monitoring system on the rail link at the commencement of operation to continuously monitor the noise from rail operations on the rail link. The system shall capture the noise from each individual train passby noise generation event, and include information to identify:</p> <p>a) Time and date of freight train passbys;</p> <p>b) Imagery or video to enable identification of the rolling stock during day and night;</p> <p>c) LAeq(15hour) and LAeq(9hour) from rail operations; and</p> <p>d) LAF(max) and SEL of individual train passbys, measured in accordance with ISO3095; or</p> <p>e) Other alternative information as agreed with the Secretary.</p> <p>The results from the noise monitoring system shall be publicly accessible from a website maintained by the Applicant. The noise results from each train shall be available on the website ideally within 24 hours of it passing the monitor. The LAeq(15hour) and LAeq(9hr) results from each day shall be available on the website within 24 hours of the period ending.</p> <p>Prior to the commencement of operation, the applicant shall submit for the approval of the Secretary, justification supporting the appropriateness of the location for rail noise monitoring including details of any alternative options</p>	X		<p>Angle of Attack and Rail Noise Monitoring System - G7, G7A (Revision 06 16/07/19)</p> <p>Department letter of approval, subject to conditions, dated 16/08/19</p>	C			

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	considered and reasons for these being dismissed. The rail noise monitoring system shall not operate until the Secretary has approved the proposed monitoring location. The Applicant shall provide an annual report to the Secretary with the results of monitoring for a period of 5 years, or as otherwise agreed with the Secretary, from the commencement of operation of the IMEX No 1 terminal. The Secretary shall consider the need for further reporting following a review of the results for year 5.							
G7A	The applicant shall install and maintain a wayside angle of attack monitoring system on the rail link at the commencement of operation to continuously monitor the angle of attack to the rail of rolling stock wheels. The system shall capture the angle of attack from a wheel on each axle of every train, and include information to identify: a) Time and date of each axle passby; and b) The identification number of each item of rolling stock. The results from the angle of attack monitoring system shall be: • accessible by train operators from a website maintained by the Applicant. Angle of attack results from each train shall be available on the website within 24 hours of it passing the monitor, unless unforeseen circumstances have occurred. • included in a six-monthly report to the Secretary. The report should at least identify the number of wagons with wheels that exceed the ASA standard angle of attack and the action taken by operators to improve steering performance. Prior to the commencement of operation, the Applicant shall submit for the approval of the Secretary, justification supporting the appropriateness of the location for angle of attack monitoring, the format of the information to be accessible to operators and the format of the public report. The angle of attack monitoring system shall not operate until the Secretary has approved the proposed monitoring location and reporting arrangements	X		Angle of Attack and Rail Noise Monitoring System - G7, G7A (Revision 06 16/07/19) Department letter of approval, subject to conditions, dated 16/08/19	C			
G7B	The Applicant shall: a) not less than three months and not more than twelve months from commencement of operation, engage an appropriately qualified and experienced acoustic engineer to undertake a night-time noise survey at Glenfield Farm (or an equivalent location if access is denied). b) the noise survey shall be conducted in accordance with the EPA's Rail Infrastructure Noise Guideline 2013 to determine: (i) the contribution of any new rail traffic travelling to and from the development;	X		NT Operations have yet to commence.				NT

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	and, (ii) the increase in the total rail traffic noise level caused by any new rail traffic to and from the development. c) the noise survey shall be conducted for not less than 12 contiguous days in the winter months (July, August or September). d) if as a result of the noise survey there is a sustained increase in the total rail traffic noise level due to the noise level from rail traffic travelling to and from the development of more than 2dB(A) for more than 30% of nights surveyed, the Applicant shall: within twelve months, construct a noise barrier along the relevant sections of rail link in accordance with the specifications provided by an appropriately qualified and experienced acoustic engineer so as to limit the increase in the total rail traffic noise level at Glenfield Farm caused by any new rail traffic to and from the development to not exceed 2dB(A). e) the report of the noise survey including the results and recommendations shall be provided to the Secretary							
G8	The following measures must be implemented during operation: a) The use of top of rail friction modifiers and automatic rail lubrication equipment in accordance with ASA Standard T HR TR 00111 ST Rail Lubrication, where required; and b) Measures to ensure the rail cross sectional profile is maintained in accordance with ETN-01-02 Rail Grinding Manual for Plain Track to ensure the correct wheel / rail contact position and hence to encourage proper rolling stock steering.	X		NT Operations have yet to commence.				NT
G9	The transfer of containers between Port Botany and the IMEX No 1 terminal must not commence until the rail connection to the SSFL is operational.	X		Non-compliance: It is understood that containers have been transported by rail between the IMEX terminal and Port Botany as part of commissioning works. The Auditor understands that SIMTA notified the Department on 15/08/19 that commissioning works were being undertaken, however this notice does not provide any details on what the			NC	

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				commissioning involved other than 'locomotives using the rail line'. The Auditor also understands that the Department has visited the site during commissioning and has not raised any concerns. The Auditor is not aware of SIMTA communicating that the movement of containers between the two terminals was in fact occurring as part of the commissioning works.				
G10	Containers must be transferred between the site and Port Botany predominantly by rail, unless where unforeseen circumstances have occurred (e.g. an incident, breakdown, derailment or emergency maintenance on the rail line). The Secretary may at any time request the Applicant to demonstrate that the transport of containers between the site and Port Botany container terminals is by rail. This is to be demonstrated upon request by the Secretary for the prior 12 month period.	X		NT Operations have yet to commence.				NT
G11	The Applicant shall prepare a six-monthly report to the Secretary with the results of container and vehicle monitoring for a period of 3 years, or as otherwise agreed with the Secretary, from the commencement of operation of the IMEX No 1 terminal. The Secretary shall consider the need for further reporting following a review of the results for year 3. The report shall include: <ul style="list-style-type: none"> a) The number of twenty foot equivalent units dispatched and received during the period; b) A record of heavy vehicle entry by date and approximate time; and c) The number of light vehicles turning right into the terminal site from Moorebank Avenue and turning left from the terminal site onto Moorebank Avenue for a representative day. 	X		NT Operations have yet to commence.				NT
G12	All containers handling equipment, purchased after 2019 must meet US EPA Tier 4 or EU Stage IV emission standard or achieve an equivalent emission control performance to those standards listed in this condition.	X		NT Operations				NT
G13	The Applicant must carry out any activity, or operate any plant, in or on the premises by such practicable means as may be necessary to prevent or minimise air pollution.	X		NT Operations				NT

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G14	Heavy road freight vehicles are not permitted to use Moorebank Avenue south of the East Hills Railway corridor. A main gate monitoring system (e.g. CCTV) shall be installed to identify heavy vehicles turning left from the terminal site onto Moorebank Avenue, or turning right from Moorebank Avenue to the terminal site. The Secretary may at any time request the Applicant to provide a heavy vehicle monitoring report for the prior 12 month period.	X		NT Operations have yet to commence.				NT
G15	<p>Within 12 months of the commencement of operation of the project, or as otherwise agreed by the Secretary, the Applicant shall undertake operational noise monitoring to compare actual noise performance of the project against noise performance predicted in the review of noise mitigation measures predicted in documents specified under condition A1 of this approval, and prepare an Operational Noise Report to document this monitoring. The Report shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) noise monitoring to assess compliance with the operational noise levels predicted in documents specified under condition A1 of this approval; b) a review of the operational noise levels in terms of criteria and noise goals established in the NSW Road Noise Policy (EPA, 2011); c) sleep disturbance impacts compared to those determined in Condition E25; d) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which project noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers; e) details of any complaints and enquiries received in relation to operational noise generated by the project between the date of commencement of operation and the date the report was prepared; f) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and proportions; g) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of all feasible and reasonable mitigation measures; and 	X		NT Operations have yet to commence.				NT

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	h) identification of additional feasible and reasonable measures to those predicted in the documents specified under condition A1 of this approval, that would be implemented with the objective of meeting the criteria outlined in the NSW Road Noise Policy (EPA, 2011), when these measures would be implemented and how their effectiveness would be measured and reported to the Secretary and the EPA. The Applicant shall provide the Secretary and the EPA with a copy of the Operational Noise Report within 60 days of completing the operational noise monitoring referred to in (a) above or as otherwise agreed by the Secretary.							
Independent Environmental Audit								
G16	<p>Within 12 months of the commencement of operation, and thereafter at any other stage bi-annually if required by the Secretary, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the SSD. This audit shall:</p> <ul style="list-style-type: none"> a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; b) include consultation with the relevant agencies and local Councils; c) assess the environmental performance of the SSD and assess whether it is complying with the requirements in this approval, and any other relevant approvals (including any assessment, plan or program required under these approvals); d) review the accuracy of predicted environmental outcomes discussed in the documents listed in condition A1 e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and f) recommend measures or actions to improve the environmental performance of the SSD, and/or any strategy, plan or program required under these approvals. <p>Within 60 days of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary and relevant public authorities, together with its response to any recommendations contained in the audit report. The audit report and response to any recommendations shall be published on the Project website.</p>	X		NT Operations have yet to commence.				NT

Appendix B. LIMITATIONS

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