MOOREBANK PRECINCT WEST (SSD 7709)

Stage 2: Pre-Construction Compliance Report

26 NOVEMBER 2020
Moorebank Precinct West (SSD 7709)

Stage 2: Pre-Construction Compliance Report

November 2020

Author

Checker

Approver

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

DOCUMENT TRACKING

<table>
<thead>
<tr>
<th>Version No.</th>
<th>Document No.</th>
<th>Detail</th>
<th>Prepared By</th>
<th>Approved By</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rev 1</td>
<td>J0003T6200728.1</td>
<td>Final</td>
<td></td>
<td></td>
<td>26 November 2020</td>
</tr>
</tbody>
</table>
Table of Contents

1. Introduction ........................................................................................................................................... 4
   1.1 The MPW Stage 2 Development ........................................................................................................... 4
2. Scope and purpose of the report ............................................................................................................. 9
3. Inspections, monitoring, audits and incidents ..................................................................................... 10
4. Compliance summary .............................................................................................................................. 11
5. Declaration of Compliance ...................................................................................................................... 12

List of Tables
Table 1: Contact details of the key personnel............................................................................................ 6

List of Figures
Figure 1-1 MPW Stage 2 construction footprint ....................................................................................... 7
Figure 1-2 MPW Stage 2 indicative construction site layout................................................................…… 8

Appendices
Appendix A – SSD 7709 Compliance Tracking Table
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>CCMRP</td>
<td>Construction Compliance Monitoring and Reporting Program</td>
</tr>
<tr>
<td>CoC</td>
<td>Conditions of Consent</td>
</tr>
<tr>
<td>DPIE</td>
<td>Department of Planning, Industry and Environment (formerly Department of Planning and Environment)</td>
</tr>
<tr>
<td>FCMMs</td>
<td>Final Compilation of Mitigation Measures</td>
</tr>
<tr>
<td>IPC</td>
<td>NSW Independent Planning Commission, formerly the NSW Planning Assessment Commission</td>
</tr>
<tr>
<td>MPE</td>
<td>Moorebank Precinct East</td>
</tr>
<tr>
<td>MPW</td>
<td>Moorebank Precinct West</td>
</tr>
<tr>
<td>SIMTA</td>
<td>Sydney Intermodal Terminal Alliance</td>
</tr>
<tr>
<td>SSD</td>
<td>State significant development</td>
</tr>
<tr>
<td>SSFL</td>
<td>Southern Sydney Freight Line</td>
</tr>
</tbody>
</table>
1. Introduction

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

1.1 The MPW Stage 2 Development

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

The MPW Stage 2 (SSD 7709) development was granted approval by the Independent Planning Commission on 11 November 2019. The MPW Stage 2 development involves the construction and operation of a multi-purpose intermodal terminal (IMT) facility, Rail link connection, warehousing, freight village, and upgrades to the Moorebank Avenue and Anzac Road intersection. The key components of the Project include:

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

- Operation of the IMT facility includes operation of the rail link to the SSFL and container freight movements by truck to and from the Moorebank Precinct East (MPE) site;

- Construction and 24/7 operation of a warehousing estate on the northern part of the site servicing the IMT facility and including:
  - six warehouses with a total gross floor area of 215,000 m² and, for each warehouse, associated offices, staff amenities, hardstands and truck and light vehicle parking;
  - 800 m² freight village (operating from 7am to 6pm, 7 days/week), including staff/visitor amenities;
  - internal roads, noise wall, landscaping, lighting and signage; and
  - intersection upgrades on Moorebank Avenue at:
    - Anzac Road providing site access; and
    - Bapaume Road for left turn only out of the site.

- Construction and operation of on-site detention basins, bioretention/ biofiltration systems and trunk stormwater drainage for the entire site; and

- Construction works and temporary ancillary facilities, including:
- Vegetation clearing, topsoil stripping and stockpiling and site earthworks and temporary on-site detention;
- Importation of up to 1,600,000 m³ of uncompacted fill, temporary stockpiling and placement over the entire site to raise existing ground levels by up to 3m;
- Materials screening, crushing and washing facilities;
- Importation and placement of engineering fill and rail line ballast;
- Installation and use of a concrete batching plant; and
- Utilities installation/ connection.

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

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

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

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

<table>
<thead>
<tr>
<th>Role</th>
<th>Organisation</th>
<th>Name</th>
<th>Contact details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal’s Environmental Representative</td>
<td>Aspect Environmental</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site Superintendent</td>
<td>J. Wyndham Prince</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site Supervisor</td>
<td>J. Wyndham Prince</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contractor Project Manager</td>
<td>Georgiou</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contractor’s Environmental Manager</td>
<td>Georgiou</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Representative – in accordance with CoC 37</td>
<td>Healthy Buildings International</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Figure 1-1: MPW Stage 2 construction footprint
Figure 1-2: MPW Stage 2 indicative construction site layout.
2. Scope and purpose of the report

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

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

This PCCR has been developed in accordance with Section 2.1 of the Department’s CRPAR 2018 guidelines, as required by CoC C14.
3. Inspections, monitoring, audits and incidents

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

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

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

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

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

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

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

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

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

<table>
<thead>
<tr>
<th><strong>Project Name</strong></th>
<th>Moorebank Logistics Park – MPW Stage 2</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project Application Number</strong></td>
<td>SSD 7709</td>
</tr>
<tr>
<td><strong>Description of Project</strong></td>
<td>Construction and 24/7 operation of the following:</td>
</tr>
<tr>
<td></td>
<td>- an intermodal terminal (IMT) facility to support a container freight throughput volume of 500,000 twenty-foot equivalent units (TEUs) per annum; and</td>
</tr>
<tr>
<td></td>
<td>- a warehousing estate (six warehouses with a total gross floor area of 215,000 m², a freight village and associated infrastructure) on the northern part of the site servicing the IMT facility.</td>
</tr>
<tr>
<td></td>
<td>Along with intersection upgrades on Moorebank Avenue, stormwater infrastructure for the entire site, construction works and temporary ancillary facilities.</td>
</tr>
<tr>
<td><strong>Project Address</strong></td>
<td>Moorebank Logistics Park, Moorebank Avenue, Moorebank</td>
</tr>
<tr>
<td><strong>Proponent</strong></td>
<td>Sydney Intermodal Terminal Alliance (SIMTA) as Qube Holdings Limited</td>
</tr>
<tr>
<td><strong>Title of Compliance Report</strong></td>
<td>Pre-Construction Compliance Report</td>
</tr>
<tr>
<td><strong>Date</strong></td>
<td>26/11/2020</td>
</tr>
</tbody>
</table>

I declare that I have reviewed relevant evidence and prepared the contents of the attached Compliance Report and to the best of my knowledge:

- the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- the Compliance Report has been prepared in accordance with the Compliance Reporting Post Approval Requirements;
- the findings of the Compliance Report are reported truthfully, accurately and completely;
- due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- the Compliance Report is an accurate summary of the compliance status of the development.

Notes:

- Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide
information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, $1 million and for an individual, $250,000; and

- The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years‘ imprisonment or 200 penalty units, or both).

<table>
<thead>
<tr>
<th>Name of Authorised Reporting Officer</th>
<th>Richard Johnson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Director</td>
</tr>
<tr>
<td>Signature</td>
<td></td>
</tr>
<tr>
<td>Qualification</td>
<td>BSc; Dip. Law</td>
</tr>
<tr>
<td>Company</td>
<td>Aspect Environmental Pty Limited</td>
</tr>
<tr>
<td>Company Address</td>
<td>117/25 Solent Circuit, Baulkham Hills</td>
</tr>
</tbody>
</table>
Appendix A – SSD 7709 Compliance Tracking Table
## Terms of Consent

### Obligation to Minimise Harm to the Environment

**Condition**
- **A1**: In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

**Timing**: At all times

**Monitoring methodology**
- Weekly site inspections against an environmental checklist.
- Incorporation of environmental awareness into site induction procedures and toolbox talks.
- Review of incident and near miss reports for preventative action and opportunities for improvement.

### Compliance

**Condition**
- **A2**: The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

**Timing**: Construction and Operation

**Monitoring methodology**
- Confirm reference to requirements of CoC in the site EMS (legal requirements register/aspects-impacts register, training, communications and records) and relevant workplace WHS system, including visitor and workplace inductions, awareness sessions and toolbox talks.
- Review and confirm requirements to comply with CoC are detailed in contracts and clearly communicated to Contractors and Sub-contractors.
- Review training/induction/toolbox talk content records.

### Limited Consent

**Condition**
- **A6**: This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.

**Timing**: At all times

**Monitoring methodology**
- Conduct internal audits.
- Independent audits.
- Compliance monitoring matrix.

**Comments**
- Compliance Monitoring & Reporting Program, prepared by Tactical Group (Revision D, dated 15 January 2020) was submitted to DPIE for information on 20 January 2020.

**Condition**
- **A7**: Only VENN, ENM, or other imported fill material approved in writing by EPA is to be placed on the site.

**Timing**: At all times

**Monitoring methodology**
- Confirm classification of materials to be brought to site has been undertaken prior to transport to site and certification is provided relevant to all material obtained.
- Confirm any approval for materials other than VENN, ENM or other approved imported fill.

**Comments**
- This Pre-Construction Compliance Report, prepared by Aspect Environmental, dated 26 November 2020.

### Notes

**Condition**
- **A10**: No construction (including clearing and maintenance access) is permitted within the riparian corridor except for that identified on the revised drawings approved under Condition B2 and activities associated with vegetation and stormwater management.

**Timing**: Construction

**Monitoring methodology**
- Regular inspections to monitor construction activities (including clearing and maintenance) within riparian corridor.
- Review of aerial imagery to assess compliance.

**Comments**
- Check consultation has been carried out where required.

---

<table>
<thead>
<tr>
<th>Approval (ID)</th>
<th>Condition</th>
<th>Timing</th>
<th>Monitoring methodology</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A1</strong></td>
<td><strong>Obligation to Minimise Harm to the Environment</strong></td>
<td>At all times</td>
<td>Weekly site inspections against an environmental checklist.</td>
<td></td>
</tr>
<tr>
<td><strong>A2</strong></td>
<td><strong>Compliance</strong></td>
<td>Construction and Operation</td>
<td>Confirm reference to requirements of CoC in the site EMS (legal requirements register/aspects-impacts register, training, communications and records) and relevant workplace WHS system, including visitor and workplace inductions, awareness sessions and toolbox talks.</td>
<td></td>
</tr>
<tr>
<td><strong>A3</strong></td>
<td><strong>Terms of Consent</strong></td>
<td>At all times</td>
<td>Conduct internal audits.</td>
<td></td>
</tr>
<tr>
<td><strong>A4</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A5</strong></td>
<td></td>
<td></td>
<td>For reference/consideration.</td>
<td></td>
</tr>
<tr>
<td><strong>A6</strong></td>
<td></td>
<td></td>
<td>Confirm commencement of development under the consent within 5 years of the date of consent.</td>
<td></td>
</tr>
<tr>
<td><strong>A7</strong></td>
<td></td>
<td></td>
<td>Confirm classification of materials to be brought to site has been undertaken prior to transport to site and certification is provided relevant to all material obtained.</td>
<td></td>
</tr>
<tr>
<td><strong>A8</strong></td>
<td></td>
<td></td>
<td>Confirm any approval for materials other than VENN, ENM or other approved imported fill.</td>
<td></td>
</tr>
<tr>
<td><strong>A9</strong></td>
<td></td>
<td></td>
<td>Confirm any approval for materials other than VENN, ENM or other approved imported fill.</td>
<td></td>
</tr>
<tr>
<td><strong>A10</strong></td>
<td></td>
<td></td>
<td>Regular inspections to monitor construction activities (including clearing and maintenance) within riparian corridor.</td>
<td></td>
</tr>
</tbody>
</table>
### Community Consultative Committee

The Community Consultative Committee addressed the matters not resolved. (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has unresolved); and (I) the outcome of that consultation, matters resolved and unresolved (and the justification for matters remaining unresolved); and (d) provide details of the consultation undertaken in the document submitted to the Planning Secretary including: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and (b) provide details of any response tables and consultation log.

### Freight village

Freight village tenancies and occupations are restricted to these activities that provide: (a) ancillary support for the development, its tenants, worker population and visitors; (b) a nexus with activities undertaken in relation to the warehouse, logistics functions of the IMT development and/or; (c) provide aligned services to the intermodal functions.

### Demolition

All demolition must be carried out in accordance with Australian Standard AS 1601-2001 The Demolition of Structures (Standards Australia, 2001). All demolition is to be in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).

### Access for People With a Disability

The siting, design and construction of premises available to the public are to ensure an appropriate level of accessibility so that all people can enter and use these premises. Access is to meet the requirements of the Disability Discrimination Act 1992, relevant Australian Standards and Building Code of Australia (BCA).

### Demolition

All demolition must be carried out in accordance with Australian Standard AS 1601-2001 The Demolition of Structures (Standards Australia, 2001). All demolition is to be in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).

### Structural Adequacy

All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be designed and constructed in accordance with the relevant requirements of the BCA. Note: • Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. • Part A of the EP&A Regulation sets out the requirements for the certification of the development.

### External Walls and Cladding

The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

### Access for People With a Disability

The siting, design and construction of premises available to the public are to ensure an appropriate level of accessibility so that all people can enter and use these premises. Access is to meet the requirements of the Disability Discrimination Act 1992, relevant Australian Standards and Building Code of Australia (BCA).

### Applicability of Guidelines

References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in at the date of this consent. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

### Evidence of Consultation

Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and (b) provide details of the consultation undertaken in the document submitted to the Planning Secretary including: (i) the outcome of that consultation, matters resolved and unresolved (and the justification for matters remaining unresolved); and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

### Approval of all strategies, plans and programs

Approval of all strategies, plans and programs requires consultation with the relevant party prior to construction of the development, as detailed in this table, affirms compliance with this consent condition.
| A29 | Before the commencement of construction, a Community Consultative Committee (CCC) must be established for the development in accordance with the Department’s Community Consultative Committee Guidelines: State Significant Projects (2019). The CCC must begin to exercise functions in accordance with such Guidelines before the commencement of construction and continue to do so for the duration of construction, upgrading and operation and for at least six months following the completion of decommissioning. | Prior to construction Confirm with DPIE a suitably qualified Chairperson available to setup and manage the committee, in accordance with DPIE CCC Guidelines, January 2019 Section 3.2 Review of Department’s Community Consultative Committee Guidelines: State Significant Projects (2019). Confirm CCC formation and commencement in accordance with CCC Guidelines, January 2019 Section 3.5 of functions prior to construction commencing. | Request to establish combined MPE/MPW CCC submitted to DPIE on 25 November 2019. DPIE approval of combined CCC received 4 December 2019. | Community Communication: | A30 | The Planning Secretary may consider a request to expand an existing MPW or MPE CCC to cover the development and to satisfy Condition A29. | At all times For reference | Request to establish combined MPE/MPW CCC submitted to DPIE on 25 November 2019. Combined CCC approved by DPIE on 4 December 2019. | Community Communication: | A31 | A Community Communication Strategy must be prepared and submitted to the Planning Secretary for approval no later than one month before the commencement of construction. The Community Communication Strategy is to provide mechanisms to facilitate communication between the Applicant, the Council(s) and the community (including adjoining affected landowners and businesses, and others directly impacted by the development). The Community Communication Strategy must: (a) assign a central contact person to keep the nearby sensitive receivers regularly informed throughout the development; (b) detail the mechanisms for regularly consulting with the local community throughout the development, such as holding regular meetings to inform the community of the progress of the development and report on environmental monitoring results; (c) detail a procedure for consulting with nearby sensitive receivers to schedule high noise generating works, vibration intensive activities or manage traffic disruptions; (d) include contact details for key community groups, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders; and (e) include a complaints procedure for recording, responding to and managing complaints, including: (i) email, toll-free telephone number and postal addresses for receiving complaints; (ii) advertising the contact details for complaints before and during operation, via the local newspaper and through on-site signage; (iii) a complaints register to record the date, time and nature of the complaint, details of the complainant and any actions taken to address the complaint; and (iv) procedures for the resolution of any disputes that may arise during the course of the development. | 1 month prior to commencement of construction Confirm the preparation and submission of the CCS to the Planning Secretary. Confirm submission date is at least 1 month prior to the proposed construction commencement date. | Community Communication Strategy approved by DPIE on 7 February 2020. | Environmental Representative: | A32 | The Applicant must: (a) not commence Construction until the Community Communication Strategy has been approved by the Planning Secretary. (b) implement the Community Communication Strategy for the duration of construction and for 12 months following the commencement of operation. | Prior to construction and 12 months following commencement of operation Confirm the commencement date of construction. Confirm CCC formation and commencement in accordance with CCC Guidelines, January 2019 Section 3.2 Confirm with DPIE a suitably qualified Chairperson available to setup and manage the committee, in accordance with DPIE CCC Guidelines, January 2019 Section 3.2 DPIE approval of combined CCC received 4 December 2019. | Community Communication Strategy approved by DPIE on 7 February 2020. | Environmental Representative: | A33 | Works must not commence until an Environmental Representative (ER) has been approved by the Planning Secretary and engaged by the Applicant. | Prior to construction Prepare and submit documentation to the Secretary to support ER approval. Confirm ER approval from the Secretary. | ER appointment approved by DPIE on 29 November 2019. | Environmental Representative: | A34 | The Planning Secretary’s approval of an ER must be sought no later than one month before the commencement of works, or within another timeframe agreed with the Planning Secretary. | 1 month prior to construction Confirm the commencement date of construction. Confirm submission date is at least 1 month prior to the proposed construction commencement date. | ER appointment approved by DPIE on 29 November 2019. | Environmental Representative: | A35 | The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the EIS, Response to Submissions and any other supporting information submitted as part of applications for either MPW or MPP, and is independent of the construction and design personnel for the project and those involved in delivery of it. Note: Should the requirements of the conditions of this consent be satisfied, an ER approved for MPE and MPW development may also be considered for approval for the development. | 1 month prior to construction Confirm suitably (independence from MPW/MPE), qualifications and experience of ER. Confirm submission date is at least 1 month prior to the proposed construction commencement date. | ER appointment approved by DPIE on 29 November 2019. | Environmental Representative: | A36 | The Applicant may engage more than one ER for the development, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Planning Secretary for the purposes of the development. | 1 month prior to construction For reference | None | Environmental Representative: |
For the duration of the works until 6 months after the commencement of operation (or staged operation), or as agreed with the Planning Secretary, the approved ER must:
(a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the development;
(b) consider and inform the Planning Secretary on matters specified in the terms of this consent;
(c) consider and recommend to the Applicant any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community;
(d) review documents required under this consent and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this consent and if so:
(i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or
(ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary/ Department for information or are not required to be submitted to the Planning Secretary/ Department);
(e) regularly monitor the implementation of the documents required under this consent to ensure implementation is being carried out in accordance with the document and the terms of this consent;
(f) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the development commissioned by the Department including scoping audits, programming audits, briefings, and site visits, but not independent Audits required under Condition C15 of this consent;
(g) as may be requested by the Planning Secretary, the ER must provide the Planning Secretary with the names of the environmental management plans (including light spill) impacts, and
(h) assess the impacts of minor ancillary facilities comprising lunch sheds, office sheds and portable toilet facilities as required by Condition A40 of this consent;
(i) consider any minor amendments to be made to the CEMP or CEMP sub-plans that require updating, or amendments of an administrative nature, and are consistent with the conditions of this consent and the most recent version of the CEMP or CEMP sub-plan approved by the Planning Secretary, and if satisfied that such an amendment is necessary, approve the minor amendment.

The Applicant must provide all documentation requested by the ER in order for the ER to perform their functions specified in Condition A37 (including preparation of the ER monthly report), as well as:
(a) the complaints register (to be provided on a monthly basis); and
(b) a copy of any assessment carried out by the Applicant of whether proposed work is consistent with the consent (which must be provided to the ER before the commencement of the subject works).

The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under Condition C20. The Applicant must:
(a) facilitate and assist the Planning Secretary in any such audit; and
(b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.

Minor ancillary facilities, including lunch sheds, office sheds, portable toilet facilities, and the like, can be established where they satisfy the following criteria:
(a) are located within the construction boundary; and
(b) have been assessed by the ER to have:
(i) minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (DECC, 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and
(ii) minimal environmental impact with respect to waste management and flooding, and
(iii) no impacts on biodiversity, soil and water, and heritage items beyond those already approved under other terms of this approval.

Minor Facilities

Review minor ancillary facility location and impact against the requirements.

Submit review documents to ER for review.

Minor ancillary facilities, including lunch sheds, office sheds, portable toilet facilities, and the like, can be established where they satisfy the following criteria:
(a) are located within the construction boundary; and
(b) have been assessed by the ER to have:
(i) minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (DECC, 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and
(ii) minimal environmental impact with respect to waste management and flooding, and
(iii) no impacts on biodiversity, soil and water, and heritage items beyond those already approved under other terms of this approval.

Minor Facilities

Review minor ancillary facility location and impact against the requirements.

Submit review documents to ER for review.

Unless stated otherwise, the Applicant must submit strategies, plans and programs required under this consent to the Planning Secretary at least one month prior to commencement of construction or operation.

A51

1 month prior to commencement of operation

Confirm commencement date of construction and operation.

Approval of all strategies, plans and programs required prior to commencement of the development consent, as detailed in this table, affirms compliance with this consent condition.

A52

If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

A53

Review of strategies/plans implemented on site to verify currency of documentation and appropriate versions are being applied within the scope of the approved staging.
### A44
**Prior to the commencement of construction,** a Staging Report must be submitted to the Planning Secretary for approval where it is proposed to construct and operate warehousing in sub-stages. The Staging Report must include:
1. the revised Development Layout Drawings required under Condition B2;
2. detailed drawings showing warehousing, estate infrastructure and landscaping to be delivered in each sub-stage, and how each sub-stage of estate infrastructure and landscaping connects to other sub-stages including the intermodal terminal facility;
3. details of how the development will relate to concurrent construction on MPE as described in the construction program included in the approved Construction Environmental Management Plan for MPE Stage 2 (SSD 7528);
4. general timing of construction sub-stages that impact upon the timing of the development subject of this consent; and
5. details of the relevant conditions of the Concept Approval (5066) and of this consent that would apply to each sub-stage.

Note: The Staging Report will need to be amended with any approved version update of the MPE Stage 2 CEMP.

**Utilities and Public Infrastructure**

- **Notification of Commencement**
  - The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least 2 weeks before that date:
    1. any work;
    2. vegetation clearing required to conduct remediation;
    3. remediation;
    4. low impact works;
    5. construction;
    6. operation;
    7. cessation of operations; and
    8. decommissioning.

- **Review receipts for payments made.**
- **Document and record consultation with relevant service providers/owners.**
- **Confirm consultation with relevant owners and/or providers of utility services and public infrastructure.**

**Review the CEMPs**

- **Dilapidation Report for MPW Stage 2, Anzac Road Moorebank prepared by Craigmar Consulting Services Pty Ltd, dated 18 August 2019.**
- **Dilapidation Report for MPW Stage 2, Anzac Road Moorebank prepared by Craigmar Consulting Services Pty Ltd, dated 3 September 2019.**
- **Dilapidation Report for MPW Stage 2, Anzac Road Moorebank prepared by Craigmar Consulting Services Pty Ltd, dated 18 August 2019.**
- **Letter from Certifying Authority, Mckenzie Group Consulting Services Pty Ltd, dated 18 August 2019.**
- **Letter from Certifying Authority, Mckenzie Group Consulting Services Pty Ltd, dated 18 August 2019.**
- **Copies forwarded to Campbelltown City Council, Liverpool City Council, RMS, any affected private landowner, and the Planning Secretary.**
- **Copy was lodged with DPIE on 6 April 2020.**

**A45**
**Prior to the commencement of operation of each warehousing sub-stage,** evidence must be provided to the satisfaction of the Planning Secretary that all estate infrastructure, including internal estate roads, bushfire protection infrastructure, utilities, drainage and stormwater quality infrastructure, has been constructed to the extent required to service the sub-stage.

Note: These conditions do not relate to staged development within the meaning of section 638 of the EP&A Act.

**Utilities and Public Infrastructure**

- **Notification of Commencement**
  - The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least 2 weeks before that date:
    1. any work;
    2. vegetation clearing required to conduct remediation;
    3. remediation;
    4. low impact works;
    5. construction;
    6. operation;
    7. cessation of operations; and
    8. decommissioning.

- **Review receipts for payments made.**
- **Document and record consultation with relevant service providers/owners.**
- **Confirm consultation with relevant owners and/or providers of utility services and public infrastructure.**

**Review the CEMPs**

- **Dilapidation Report for MPW Stage 2, Anzac Road Moorebank prepared by Craigmar Consulting Services Pty Ltd, dated 18 August 2019.**
- **Dilapidation Report for MPW Stage 2, Anzac Road Moorebank prepared by Craigmar Consulting Services Pty Ltd, dated 3 September 2019.**
- **Dilapidation Report for MPW Stage 2, Anzac Road Moorebank prepared by Craigmar Consulting Services Pty Ltd, dated 18 August 2019.**
- **Letter from Certifying Authority, Mckenzie Group Consulting Services Pty Ltd, dated 18 August 2019.**
- **Letter from Certifying Authority, Mckenzie Group Consulting Services Pty Ltd, dated 18 August 2019.**
- **Copies forwarded to Campbelltown City Council, Liverpool City Council and Transport for New South Wales (TfNSW), by email, on 26 March 2020.**
- **Copy was lodged with DPIE on 6 April 2020.**

**A46**
**Prior to the commencement of operation of each warehousing sub-stage,** evidence must be provided to the satisfaction of the Planning Secretary that the warehousing sub-stage meets the estate infrastructure requirements.

**Utilities and Public Infrastructure**

- **Notification of Commencement**
  - The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least 2 weeks before that date:
    1. any work;
    2. vegetation clearing required to conduct remediation;
    3. remediation;
    4. low impact works;
    5. construction;
    6. operation;
    7. cessation of operations; and
    8. decommissioning.

- **Review receipts for payments made.**
- **Document and record consultation with relevant service providers/owners.**
- **Confirm consultation with relevant owners and/or providers of utility services and public infrastructure.**

**Review the CEMPs**

- **Dilapidation Report for MPW Stage 2, Anzac Road Moorebank prepared by Craigmar Consulting Services Pty Ltd, dated 18 August 2019.**
- **Dilapidation Report for MPW Stage 2, Anzac Road Moorebank prepared by Craigmar Consulting Services Pty Ltd, dated 3 September 2019.**
- **Dilapidation Report for MPW Stage 2, Anzac Road Moorebank prepared by Craigmar Consulting Services Pty Ltd, dated 18 August 2019.**
- **Letter from Certifying Authority, Mckenzie Group Consulting Services Pty Ltd, dated 18 August 2019.**
- **Letter from Certifying Authority, Mckenzie Group Consulting Services Pty Ltd, dated 18 August 2019.**
- **Copies forwarded to Campbelltown City Council, Liverpool City Council and Transport for New South Wales (TfNSW), by email, on 26 March 2020.**
- **Copy was lodged with DPIE on 6 April 2020.**

**A47**
**If the construction, operation or decommissioning of the development is to be staged,** the Department must be notified in writing at least 2 weeks before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

**Utilities and Public Infrastructure**

- **Notification of Commencement**
  - The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least 2 weeks before that date:
    1. any work;
    2. vegetation clearing required to conduct remediation;
    3. remediation;
    4. low impact works;
    5. construction;
    6. operation;
    7. cessation of operations; and
    8. decommissioning.

- **Review receipts for payments made.**
- **Document and record consultation with relevant service providers/owners.**
- **Confirm consultation with relevant owners and/or providers of utility services and public infrastructure.**

**Review the CEMPs**

- **Dilapidation Report for MPW Stage 2, Anzac Road Moorebank prepared by Craigmar Consulting Services Pty Ltd, dated 18 August 2019.**
- **Dilapidation Report for MPW Stage 2, Anzac Road Moorebank prepared by Craigmar Consulting Services Pty Ltd, dated 3 September 2019.**
- **Dilapidation Report for MPW Stage 2, Anzac Road Moorebank prepared by Craigmar Consulting Services Pty Ltd, dated 18 August 2019.**
- **Letter from Certifying Authority, Mckenzie Group Consulting Services Pty Ltd, dated 18 August 2019.**
- **Letter from Certifying Authority, Mckenzie Group Consulting Services Pty Ltd, dated 18 August 2019.**
- **Copies forwarded to Campbelltown City Council, Liverpool City Council and Transport for New South Wales (TfNSW), by email, on 26 March 2020.**
- **Copy was lodged with DPIE on 6 April 2020.**
<table>
<thead>
<tr>
<th>A51</th>
<th>Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the Sydney Water Act 1994.</th>
<th>Prior to operation</th>
<th>Confirm compliance certificate obtained.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telecommunications</td>
<td>Prior to the issue of an Occupation Certificate for the development, the Applicant is to provide evidence, satisfactory to the Certifying Authority, that arrangements have been made for: (a) the installation of fibre-ready facilities to all individual lots and/or premises to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises demonstrated through an agreement with a carrier.</td>
<td>Prior to occupation certificate issue</td>
<td>Document and submit evidence to the Certifying Authority.</td>
</tr>
<tr>
<td>A53</td>
<td>The Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.</td>
<td>Prior to occupation</td>
<td>Confirmation of written advice from relevant providers.</td>
</tr>
<tr>
<td>A54</td>
<td>Prior to the commencement of any works, and for the life of the development, the Applicant must ensure that there is a suitable meteorological station operating on the site or within the vicinity of the site that: (a) complies with the requirements in the latest version of EPA's Approved Methods for Sampling of Air Pollutants in New South Wales (DEC, 2016) (as may be updated or replaced from time to time); and (b) is capable of continuous real-time measurement of atmospheric stability category determined by the sigma theta method in accordance with the NSW Noise Policy for Industry (NPI, EPA, 2017) (as may be updated or replaced from time to time).</td>
<td>Prior to construction and operation and at all times</td>
<td>Confirm installation of a meteorological station in accordance with this CoC and EPA requirements. Maintain records of all consultation / communication with EPA on technical specifications and siting of station.</td>
</tr>
<tr>
<td>A55</td>
<td>All detailed design drawings required to be submitted under this consent must be at or above 50% design completion, with the percentage design stated on the drawings.</td>
<td>At all times</td>
<td>Document submission of design drawings at or above 50% completion.</td>
</tr>
<tr>
<td>A56</td>
<td>Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor confirming that the stormwater drainage (water quality and detention infrastructure), road ways, parking and finished ground levels have been constructed as approved, must be submitted to the Certifying Authority.</td>
<td>Prior to issue of occupation certificate</td>
<td>Confirmation of from registered surveyor that stormwater drainage (water quality and detention infrastructure), road ways, parking and finished ground levels have been constructed as approved. Submit works-as-executed drawings to the Certifying Authority.</td>
</tr>
<tr>
<td>A57</td>
<td>Prior to the issue of a Construction Certificate for any part of the development, the Applicant must pay a monetary levy of 1% of the development Capital Investment Value ($5,330,000) or other amount agreed to by Liverpool City Council for transport, drainage, community facilities, administration and professional and legal fees pursuant to section 7.13(2) of the EP&amp;A Act.</td>
<td>Prior to issue of construction certificate</td>
<td>Confirmation from Liverpool City Council levy payment received.</td>
</tr>
<tr>
<td>A58</td>
<td>The Applicant must provide all monetary contributions and/or works in kind as relevant to the site, in accordance with the Voluntary Planning Agreement entered into between RMS and Qube RE Services (No. 2) Pty Limited in its capacity as the trustee of the Moorebank Industrial Terminals Asset Trust, Moorebank Industrial Terminals Operations Trust and Moorebank Industrial Warehouse Trust and executed on 25 March 2019 (VPA).</td>
<td>At all times</td>
<td>Confirmation that monetary contributions and/or works in kind provided to RMS as per the Voluntary Planning Agreement. This condition is not identified as a pre-construction requirement. Discussions between Qube and TfNSW regarding the payment arrangements for the contributions required under the executed VPA are ongoing.</td>
</tr>
<tr>
<td>A59</td>
<td>All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.</td>
<td>At all times</td>
<td>Review and documentation of legal requirements register for the site. Noted.</td>
</tr>
</tbody>
</table>
Part B - Key Environmental Issues

### Development Layout

<table>
<thead>
<tr>
<th>Condition</th>
<th>Timing</th>
<th>Monitoring Methodology</th>
<th>Compliance</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>B1</td>
<td>Prior to finalisation of drawings and reports</td>
<td>Confirm records of volume of fill are maintained. Confirm previously cleared locations for fill to be stockpiled on. Confirm induction and toolbox talks reference no vegetation clearing allowed and fill only stockpiled in previously cleared areas.</td>
<td>Compliant</td>
<td>Revised Development Layout Drawings, prepared by Reid Campbell (rev H, dated 27 April 2020), were approved by DPIE on 20 May 2020.</td>
</tr>
</tbody>
</table>

Prior to commencement of construction, the Applicant must submit revised Development Layout Drawings to the Planning Secretary for approval. The revised Development Layout Drawings must be at a scale of approximately 1:2000 at A1 showing the key development elements including but not limited to estate infrastructure, internal roads, warehouse and associated carpark footprints, the freight village, intermodal terminal facility including the truck waiting area and emergency truck storage area, rail line and rail line vehicle access roads. The revised Development Layout Drawings must show the site, construction and operational boundaries and demonstrate:

(a) provision of a riparian corridor, comprising the following:
   - a buffer zone to the most inland of:
     - 40 metres from the top of bank, as surveyed by a registered surveyor, or
     - the 1% AEP flood extent, excluding the localised depression at the existing major east-west drainage channel, and
   - an additional 10 metre extension to the buffer zone established in (i) above, where native vegetation is located on or within 10 metres east of the buffer;
   - the sitting of biofiltration/ bioretention areas and OSD basins (with the exception of outlets to the Georges River and associated maintenance access) are outside the riparian corridor and outside the warehouse footprints;
   (c) provision of all required setbacks in accordance with the approved Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation; and
   - compliance with the percentage of landscaped area specified in Condition B63; and
   - at all times <br> Confirm records of volume of fill are maintained. Confirm previously cleared locations for fill to be stockpiled on. Confirm induction and toolbox talks reference no vegetation clearing allowed and fill only stockpiled in previously cleared areas. | Non-Compliant | Not Triggered | Revised Development Layout Drawings, prepared by Reid Campbell (rev H, dated 27 April 2020), were approved by DPIE on 20 May 2020. |

Prior to commencement of construction, the Applicant must submit revised Development Layout Drawings to the Planning Secretary for approval. The revised Development Layout Drawings must be at a scale of approximately 1:2000 at A1 showing the key development elements including but not limited to estate infrastructure, internal roads, warehouse and associated carpark footprints, the freight village, intermodal terminal facility including the truck waiting area and emergency truck storage area, rail line and rail line vehicle access roads. The revised Development Layout Drawings must show the site, construction and operational boundaries and demonstrate:

(a) provision of a riparian corridor, comprising the following:
   - a buffer zone to the most inland of:
     - 40 metres from the top of bank, as surveyed by a registered surveyor, or
     - the 1% AEP flood extent, excluding the localised depression at the existing major east-west drainage channel, and
   - an additional 10 metre extension to the buffer zone established in (i) above, where native vegetation is located on or within 10 metres east of the buffer;
   - the sitting of biofiltration/ bioretention areas and OSD basins (with the exception of outlets to the Georges River and associated maintenance access) are outside the riparian corridor and outside the warehouse footprints;
   (c) provision of all required setbacks in accordance with the approved Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation; and
   - compliance with the percentage of landscaped area specified in Condition B63; and
   - at all times <br> Confirm records of volume of fill are maintained. Confirm previously cleared locations for fill to be stockpiled on. Confirm induction and toolbox talks reference no vegetation clearing allowed and fill only stockpiled in previously cleared areas. | Non-Compliant | Not Triggered | Revised Development Layout Drawings, prepared by Reid Campbell (rev H, dated 27 April 2020), were approved by DPIE on 20 May 2020. |

Prior to commencement of construction, the Applicant must submit revised Development Layout Drawings to the Planning Secretary for approval. The revised Development Layout Drawings must be at a scale of approximately 1:2000 at A1 showing the key development elements including but not limited to estate infrastructure, internal roads, warehouse and associated carpark footprints, the freight village, intermodal terminal facility including the truck waiting area and emergency truck storage area, rail line and rail line vehicle access roads. The revised Development Layout Drawings must show the site, construction and operational boundaries and demonstrate:

(a) provision of a riparian corridor, comprising the following:
   - a buffer zone to the most inland of:
     - 40 metres from the top of bank, as surveyed by a registered surveyor, or
     - the 1% AEP flood extent, excluding the localised depression at the existing major east-west drainage channel, and
   - an additional 10 metre extension to the buffer zone established in (i) above, where native vegetation is located on or within 10 metres east of the buffer;
   - the sitting of biofiltration/ bioretention areas and OSD basins (with the exception of outlets to the Georges River and associated maintenance access) are outside the riparian corridor and outside the warehouse footprints;
   (c) provision of all required setbacks in accordance with the approved Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation; and
   - compliance with the percentage of landscaped area specified in Condition B63; and
   - at all times <br> Confirm records of volume of fill are maintained. Confirm previously cleared locations for fill to be stockpiled on. Confirm induction and toolbox talks reference no vegetation clearing allowed and fill only stockpiled in previously cleared areas. | Non-Compliant | Not Triggered | Revised Development Layout Drawings, prepared by Reid Campbell (rev H, dated 27 April 2020), were approved by DPIE on 20 May 2020. |

Prior to commencement of construction, the Applicant must submit revised Development Layout Drawings to the Planning Secretary for approval. The revised Development Layout Drawings must be at a scale of approximately 1:2000 at A1 showing the key development elements including but not limited to estate infrastructure, internal roads, warehouse and associated carpark footprints, the freight village, intermodal terminal facility including the truck waiting area and emergency truck storage area, rail line and rail line vehicle access roads. The revised Development Layout Drawings must show the site, construction and operational boundaries and demonstrate:

(a) provision of a riparian corridor, comprising the following:
   - a buffer zone to the most inland of:
     - 40 metres from the top of bank, as surveyed by a registered surveyor, or
     - the 1% AEP flood extent, excluding the localised depression at the existing major east-west drainage channel, and
   - an additional 10 metre extension to the buffer zone established in (i) above, where native vegetation is located on or within 10 metres east of the buffer;
   - the sitting of biofiltration/ bioretention areas and OSD basins (with the exception of outlets to the Georges River and associated maintenance access) are outside the riparian corridor and outside the warehouse footprints;
   (c) provision of all required setbacks in accordance with the approved Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation; and
   - compliance with the percentage of landscaped area specified in Condition B63; and
   - at all times <br> Confirm records of volume of fill are maintained. Confirm previously cleared locations for fill to be stockpiled on. Confirm induction and toolbox talks reference no vegetation clearing allowed and fill only stockpiled in previously cleared areas. | Non-Compliant | Not Triggered | Revised Development Layout Drawings, prepared by Reid Campbell (rev H, dated 27 April 2020), were approved by DPIE on 20 May 2020. |

Prior to commencement of construction, the Applicant must submit revised Development Layout Drawings to the Planning Secretary for approval. The revised Development Layout Drawings must be at a scale of approximately 1:2000 at A1 showing the key development elements including but not limited to estate infrastructure, internal roads, warehouse and associated carpark footprints, the freight village, intermodal terminal facility including the truck waiting area and emergency truck storage area, rail line and rail line vehicle access roads. The revised Development Layout Drawings must show the site, construction and operational boundaries and demonstrate:

(a) provision of a riparian corridor, comprising the following:
   - a buffer zone to the most inland of:
     - 40 metres from the top of bank, as surveyed by a registered surveyor, or
     - the 1% AEP flood extent, excluding the localised depression at the existing major east-west drainage channel, and
   - an additional 10 metre extension to the buffer zone established in (i) above, where native vegetation is located on or within 10 metres east of the buffer;
   - the sitting of biofiltration/ bioretention areas and OSD basins (with the exception of outlets to the Georges River and associated maintenance access) are outside the riparian corridor and outside the warehouse footprints;
   (c) provision of all required setbacks in accordance with the approved Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation; and
   - compliance with the percentage of landscaped area specified in Condition B63; and
   - at all times <br> Confirm records of volume of fill are maintained. Confirm previously cleared locations for fill to be stockpiled on. Confirm induction and toolbox talks reference no vegetation clearing allowed and fill only stockpiled in previously cleared areas. | Non-Compliant | Not Triggered | Revised Development Layout Drawings, prepared by Reid Campbell (rev H, dated 27 April 2020), were approved by DPIE on 20 May 2020. |
88 The review must:
(a) include a review of the numerical models used to develop the revised stormwater design;
(b) be undertaken by a technical expert, approved by the Planning Secretary, with over 15 years of experience in stormwater, flooding and water quality in NSW, including Water Sensitive Urban Design (WSUD), and not previously involved in preparation of drainage, flooding or hydrological designs or assessments for either MPV or MPE, or construction of either MPV or MPE; and
(c) include an assessment of the Revised Stormwater System Design Drawings and supporting documentation against all relevant conditions, stating whether the condition has been satisfied, and comments justifying the position.

89 The revised stormwater system design, to be detailed in the Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation, must be consistent with the objectives and principles set out in the NSW Office of Water’s Guidelines for Controlled Activities and incorporate water sensitive urban design principles outlined in relevant Council policies, plans, guidelines and specifications and NMS’s Water Sensitive Urban Design Guideline 2013, including:
(a) treating stormwater as a resource;
(b) mimicking natural processes in the control of stormwater;
(c) integrating drainage infrastructure and landscaping;
(d) managing water in a sustainable manner through considering the complete water cycle; and
(e) considered design, construction and maintenance to minimise impacts on the natural water cycle.

90 The Applicant must submit revised drawings and supporting documentation to the Planning Secretary for approval, in accordance with the design principles and design criteria listed in Conditions B11 to B22.

91 The stormwater system must be designed to:
(a) convey flows up to and including the 10% AEP event within the formal piped drainage system, with flows from the 10% AEP to the 1% AEP event conveyed in controlled overland flow paths; and
(b) provide adequate overland flow paths in the event of stormwater system blockages and flows in excess of the 1% ARI rainfall event.

92 On-site Detention

1. On-site detention (OSD) must attenuate peak flows from the development such that both the:
(a) 1 in 1 year ARI event post development peak discharge rate is equivalent to the pre-development (un-developed) catchment 1 in 1 year ARI event; and
(b) 1 in 100 year ARI event post development peak discharge rate is equivalent to the pre-development (un-developed) catchment 1 in 100 year ARI event.

2. OSD basins must:
(a) be visually unobtrusive and sit within the final landform and landscaping;
(b) ensure public safety by incorporation of ‘safer by design’ principles; and
(c) have all sides with a maximum batter slope of 1V:4H, except at the OSD outlets.

93 Stormwater Quality

1. All stormwater quality elements are to be modelled in MUSIC as per the NSW MUSIC Modelling Guide.

2. The stormwater quality infrastructure must comprise rainwater tanks, gross pollutant traps and biofiltration/ bioretention systems designed to meet the following criteria compared to a base case if there were no treatment systems in place:
(a) reduce the average annual load of total nitrogen by 45%;
(b) reduce the average annual load of total phosphorus by 65%;
(c) reduce the average annual load of total suspended solids by 85%.

3. All stormwater quality elements must be installed upstream of OSD basins, unless it can be demonstrated to the satisfaction of the Secretary that biofiltration/ bioretention systems within the OSD basins:
(a) will not suffer damage from design flows;
(b) can be maintained to achieve the water quality criteria; and
(c) will have adequate solar access ensuring that all biofiltration systems are exposed to sunlight at midday on the winter solstice. This assessment is to include surrounding features of OSD basins, including but not limited to actual building heights and full mature height and size of proposed trees, as per the landscape plan.

94 The area of biofiltration/ bioretention systems is to be at least 1% of the catchment-draining to the system, to ensure there is no short-circuiting of the system.
Bioretention systems which are greater than 1,000 m² in area, are to be divided into cells with no individual cell greater than 1,000 m².

All filter media used in stormwater treatment measures must:
(a) be loamy sand with an appropriately high permeability under compaction and must be free of rubbish, deleterious material, toxins, declared plants and local weeds, and must not be hydrophobic;
(b) have an hydraulic conductivity = 100-300 mm/hr, as measured using the ASTM F1815-06 method;
(c) have an organic matter content less than 5% (w/w); and
(d) be provided adequate solar access, considering the design and orientation of OSD basins.

Stormwater Outlet Structures

Discharge of stormwater from the development must not cause scour/erosion of the banks or bed, or pollution of the Georges River or Anzac Creek.

Outlet structures for the discharge of site stormwater drainage to the Georges River, Anzac Creek, external drainage or natural drainage lines must be constructed of natural materials to minimise erosion, facilitate natural geomorphic processes and include vegetation as necessary (galvanised baskets and galvanised mattresses are not acceptable).

Outlet structures must ensure habitat connectivity and wildlife movement is maintained along the Georges River riparian corridor.

Stormwater System Design Drawings

The Revised Stormwater System Design Drawings and supporting information to be submitted under Condition B4 must include the details specified in Conditions B24 to B28.

Drawings must show:
(a) all information on a drainage catchment plans and a schedule of stormwater drainage elements (pipe lines and structures). Drainage drawing documentation is to be in accordance with the requirements of Liverpool Council’s Development Design Specification “D5 – Stormwater drainage design” clauses D5.22 and D5.24;
(b) location and width of controlled overland flow paths;
(c) maximum design flow levels to AHD;
(d) maintenance access to each on OSD basin; and
(e) the integration with NPE Stage 1 and NPE Stage 2 stormwater infrastructure including:
(i) stormwater infrastructure on the MPW site that is intended to convey (pipes or overland flow paths) or treat or detain stormwater from MPE Stage 1 and NPE Stage 2, and/or
(ii) drawings demonstrating that stormwater detention and treatment infrastructure has been provided for and approved under MPE Stage 1 and NPE Stage 2 for western draining MPE catchments.

Stormwater Outlet Structures

Outlet structures for the discharge of site stormwater drainage to the Georges River, Anzac Creek, external drainage or natural drainage lines must be constructed of natural materials to minimise erosion, facilitate natural geomorphic processes and include vegetation as necessary (galvanised baskets and galvanised mattresses are not acceptable).

All stormwater quality elements are to be detailed in the drawings including:
(a) general arrangement plans at 1:500 and detailed plans as required at 1:200, showing system layout with key features including pipe arrangement with pipe sizes, diversion structure, high flow bypass, pre-treatment system, inlets, outlets, underdrainage, and maintenance vehicular access. The plans must show how the bioretention system will achieve separate cells of a maximum area of 1000 m² with flow splitting;
(b) long and cross sections showing key features and levels including liner (base level of bioretention system), submerged zone level, drainage layer, transition layer, filter surface level, extended detention level, bund/embankment level, and level of detention storage;
(c) pipe long sections, including invert levels, pipe sizes;
(d) details of key structures including diversion, pre-treatment system (make/ model), inlets, outlets;
(e) landscape plan including plant species;
(f) specification of filter media; and
(g) shadow diagrams, including surrounding features of OSD basins, actual building heights and full size of proposed trees, as per the landscape plans.

Stormwater Outlet Drawings

Stormwater outlet drawings must show:
(a) material type, size, thickness, with accompanying hydraulic calculations demonstrating the achievement of relevant stability thresholds;
(b) design arrangement including longitudinal sections, cross sections and typical arrangements;
(c) typical arrangements including details of any liners, keping into bed/ banks and filter material; and
(d) the tie in with the receiving water normal water level and/ or seasonal low flow levels.

Stormwater System Design Supporting Documentation

As part of the supporting documentation required under Condition B4, the Applicant must document the sequence of construction, including interim drainage solutions, for:
(a) the drainage line from MPE to the Georges River;
(b) the northern portion of MPW, including inflow, OSD basins, transition of sedimentation basins to OSD basins; and
(c) the southern portion of MPW, including inflowing, OSD basins, transition of sedimentation basins to OSD basins.
Prior to commencement of construction, the Applicant must prepare a Soil and Water Management Plan (SWMP) in accordance with the requirements of Managing Urban Stormwater - Soils and Construction Volume 1 (Landcom 2004) and submit it to the Planning Secretary for approval. The SWMP must be certified by a Certified Professional in Erosion and Sediment Control (CPESC) that it is fit for purpose, addresses the constraints posed by site conditions and complies with statutory requirements. The CPESC must have demonstrated experience in the identification, management and mitigation of erosion and sedimentation in dispersive and non-cohesive soils and be approved by the Planning Secretary.

Prior to construction, the CPESC must undertake monthly inspections during construction, report on implementation of the SWMP and recommend any improvements to the SWMP and site control measures. The CPESC’s report must be provided to the Planning Secretary under Condition B4 are crosschecked during installation.

Erosion and Sediment Control Plans must be updated as construction progresses and site conditions change. The SWMP review process includes a checklist against these requirements prior to submission to the Secretary for approval.

Review of monthly CPESC’s reports and update ESPC as required

Weekly environmental inspections to include review of ESCPs.

The SWMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C2, the SWMP must include, but not be limited to:

(i) soil conservation hazard that includes:
   (a) subsurface/geootechnical assessment identifying underlying foundation conditions;
   (b) hydraulic modelling;
   (c) hydraulic calculations for stormwater outlet structures demonstrating achievement of relevant stability thresholds; and
   (d) design specifications including schedule of drainage elements (e.g. rock sizes, and structures).

Erosion and Sediment Control Plans must be updated as construction progresses and site conditions change.

The SWMP review process includes a checklist against these requirements prior to submission to the Secretary for approval.

Prior to construction, Engage a suitable CPESC to certify the SWMP.

Prepare and submit SWMP for approval by Secretary.

Prepare the Construction Soil and Water Management Plan, prepared by Costin Roe (Revision 10, dated 16 March 2020), was approved by DPIE on 1 April 2020.

Prior to construction, Confirm submission of outlet structure investigations and design inputs to the Secretary.

Stormwater Infrastructure Operation and Maintenance Plan

The Construction Soil and Water Management Plan, prepared by Costin Roe (Revision 10, dated 16 March 2020), was approved by DPIE on 1 April 2020.

Prior to commencement of construction, the Applicant must prepare a Soil and Water Management Plan (SWMP) in accordance with the requirements of Managing Urban Stormwater - Soils and Construction Volume 1 (Landcom 2004) and submit it to the Planning Secretary for approval. The SWMP must be certified by a Certified Professional in Erosion and Sediment Control (CPESC) that it is fit for purpose, addresses the constraints posed by site conditions and complies with statutory requirements. The CPESC must have demonstrated experience in the identification, management and mitigation of erosion and sedimentation in dispersive and non-cohesive soils and be approved by the Planning Secretary.

Prior to construction, Engage a suitable CPESC to certify the SWMP.

Prepare and submit SWMP for approval by Secretary.

Prepare the Construction Soil and Water Management Plan, prepared by Costin Roe (Revision 10, dated 16 March 2020), was approved by DPIE on 1 April 2020.

Prior to construction, Confirm submission of outlet structure investigations and design inputs to the Secretary.

Stormwater Infrastructure Operation and Maintenance Plan

The Construction Soil and Water Management Plan, prepared by Costin Roe (Revision 10, dated 16 March 2020), was approved by DPIE on 1 April 2020.
E36 Prior to commencement of operation, the Applicant must prepare a Stormwater Infrastructure Operation and Maintenance Plan to manage the operation and maintenance of stormwater infrastructure on-site and off-site, to the satisfaction of the Planning Secretary. The plan must form part of the OEMP required under Condition C5 and must be implemented for the life of the development and include the following:

(a) a management and maintenance of the assets, including evidence that a maintenance contract is in place with a reputable and experienced maintenance contractor;

(b) the unexpected discovery of actual or potential acid sulfate soils; and

(c) a decision on the treatment system(s) to be used for the treatment of construction discharges and ongoing stormwater discharges from the development to ensure protection of the desired ecological values of Anzac Creek, and identify any issues with the treatment system(s) which require rectification for the system(s) to adequately perform its intended function.

Prior to operation Confirm ASS Management Plan prepared and included in CEMP.  

Acid Sulfate Soil Management

E38 Prior to commencement of operation, the Applicant must prepare a Stormwater Quality Monitoring Program in consultation with Council and the EPA. The program must form part of the OEMP required under Condition C5, be implemented for the life of the development and include the following:

(a) baseline water quality data;

(b) monitoring parameters;

(c) water quality assessment criteria;

(d) monitoring of water quality at sediment basin/on-site detention/bioswetland basin outlet channels and piped outlets discharging to the Georges River;

(e) frequency of sampling, including wet weather sampling;

(f) method of sampling and analysis;

(g) assess water quality and quantity performance for construction discharges and ongoing stormwater discharges from the development to ensure protection of the desired ecological values of Anzac Creek; and

(h) include sampling locations and the frequency of sampling including wet weather sampling.

Prior to operation Confirm Stormwater Quality Monitoring Program review process includes a checklist against these requirements.

Stormwater Quality Monitoring

E39 An Acid Sulfate Soils Management Plan must be developed consistent with the Acid Sulfate Soils Manual and must:

(i) a decision on the treatment system(s) to be used for the treatment of construction discharges and ongoing stormwater discharges from the development to ensure protection of the desired ecological values of Anzac Creek, and identify any issues with the treatment system(s) which require rectification for the system(s) to adequately perform its intended function.

Prior to operation Confirm ASS Management Plan prepared and included in CEMP.

Acid Sulfate Soil Management

Land Disruption, Earthworks and Importation of Fill

E40 The Applicant must:

Prior to operation Confirm records of duration of stockpiling. Confirm imported fill not stockpiled for longer than 6 months.

Stockpiling of imported fill is not permitted for longer than 6 months before placement.

At all times Confirm records of duration of stockpiling. Confirm imported fill not stockpiled for longer than 6 months.

Regular environmental inspections/reports.
<table>
<thead>
<tr>
<th>Section</th>
<th>Requirement</th>
<th>Action</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>543</td>
<td>Stockpiles must: (a) not exceed 10 m in height; (b) be benched over 4 m in height; (c) have maximum of 1:3V:1H slopes; and (d) be stabilised if not worked on for more than 10 days.</td>
<td>At all times</td>
<td>Confirm inclusion of imported fill and stockpile management measures in CEMP. Confirm stockpiles meet these requirements through regular environmental inspections/compliance reports.</td>
</tr>
<tr>
<td>544</td>
<td>Placed fill must be stabilised if construction does not commence within 10 days.</td>
<td>At all times</td>
<td>Confirm inclusion of imported fill and stockpile management measures in CEMP. Confirm fill stabilised if construction does not occur within 10 days - through regular environmental inspections/compliance reports.</td>
</tr>
<tr>
<td>545</td>
<td>The design of fill batters must ensure stability, mitigate visual impacts, provide for maintenance activities and demonstrate there are no impacts on adjoining lands, including biodiversity offset areas and the riparian corridor.</td>
<td>At all times</td>
<td>Confirm inclusion of imported fill and stockpile management measures in CEMP. Confirm these requirements are met through regular environmental inspections/compliance reports.</td>
</tr>
<tr>
<td>546</td>
<td>Dust Minimisation</td>
<td>At all times</td>
<td>Confirm inclusion of dust minimisation measures in CEMP. Review dust monitoring data collected as part of the CEMP. Review complaints register and incident register for any exceedances in accordance with the reporting criteria in the CEMP.</td>
</tr>
<tr>
<td>547</td>
<td>Prevention of Odours</td>
<td>At all times</td>
<td>Confirm inclusion of odour management measures in CEMP. Review complaints register and incident register.</td>
</tr>
<tr>
<td>548</td>
<td>Urban Heat Island Mitigation (UHIM)</td>
<td>At all times</td>
<td>Review the Urban Heat Island Mitigation principles and verify the development achieves a 4°C degree decrease in temperature compared to neighbouring industrial developments. Urban Heat Island Mitigation is addressed in Section 2.2 of the Urban Design Development Report (UDDR), prepared by Reid Campbell (rev 5, dated 9 July 2020), which was approved by DPIE on 12 August 2020.</td>
</tr>
<tr>
<td>549</td>
<td>Ecologically Sustainable Development</td>
<td>At all times</td>
<td>Confirm design measures demonstrate 849 (a) (i). Ecologically Sustainable Design is addressed in Section 2.3 of the approved UDDR, prepared by Reid Campbell (rev 5, dated 9 July 2020), which was approved by DPIE on 12 August 2020.</td>
</tr>
<tr>
<td>550</td>
<td>The Development must be designed and operated to meet UDIA principles and to achieve a 4°C degree decrease in temperature compared to neighbouring industrial developments by including measures such as: (a) use of energy efficient plant and equipment; (b) use of renewable energy sources; (c) cross-ventilation; (d) selection of materials with lower energy manufacturing requirements; (e) water efficient fixtures and fittings; and (f) waste minimisation and recycling.</td>
<td>At all times</td>
<td>Construction Confirm registration of ‘design’ and ‘as built’ rating under the Infrastructure Council of Australia (ISSA) rating tool for development infrastructure. Crosscheck design against the requirements.</td>
</tr>
<tr>
<td>551</td>
<td>The Development must be designed and operated to meet minimum 4 star Green Star certification by the Green Building Council of Australia for warehouse design, construction and operation</td>
<td>Construction and operation</td>
<td>Confirm the requirements of 4 star Green Star certification by the Green Building Council of Australia for warehouse design, construction and operation. Crosscheck design against the requirements.</td>
</tr>
<tr>
<td>552</td>
<td>Prior to commencement of permanent built surface works and/or landscaping, an Urban Design Development Report, Revised Landscape Design Drawings and Revised Architectural Drawings including plans, sections and details and supporting documentation must be submitted to the Planning Secretary for approval. Note: For the purposes of this condition, earthworks including placement of fill are not considered permanent built surface works.</td>
<td>Construction</td>
<td>Confirm the Urban Design Development Report, Revised Landscape Design Drawings and Revised Architectural Drawings including plans, sections and details and supporting documentation is submitted to the Planning Secretary for approval. Confirm Secretary approval prior to commencement of permanent built surface works and/or landscaping. The UDDR, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPIE on 12 August 2020. The Revised Landscape Drawings, prepared by Ground Ink (Issue 1, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR. The Revised Architectural Drawings, prepared by Reid Campbell (Issue I, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.</td>
</tr>
</tbody>
</table>
(b) integrate with existing and planned footpaths or cycleways in the locality.

warehouses and the freight village; and

Pedestrian and cycle paths must:

Staff and Visitor Facilities

The Revised Landscape Design Drawings and Revised Architectural Drawings and associated elements must demonstrate a design that meets the design criteria and other requirements listed in Conditions B59 to B74.

Design Criteria

The Revised Landscape Design Drawings and Revised Architectural Drawings and associated elements must demonstrate a design that generally incorporates the principles outlined in Better Placed, Greener Places and the Green Grid documents by the NSW Government Architect and the Western Sydney District Plan (March 2018) by the Greater Sydney Commission, and

(a) how the objectives and principles developed in the Urban Design Development Report required under Condition B53 have been incorporated into the design;

(b) the revised warehouse layout in accordance with Condition B2; and

(c) compliance with the criteria specified in Conditions B59 to B74.

Landscape Design

The Revised Landscape Drawings, prepared by Matthew Pullinger Architect (dated 13 December 2020), are included as Appendix 4.3 of the approved UDDR.

The Revised Landscape Drawings, prepared by Reid Campbell (issue L, dated 13 July 2020), as Appendix 4.2 of the approved UDDR.

The Revised Architectural Drawings, prepared by Reid Campbell (issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.

The Revised Landscape Drawings, prepared by Ground Ink (issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.

The Revised Landscape Drawings, prepared by Ground Ink (issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.

(3) Local Government nominated an independent peer review panel, identified in the UDDR.

Confirm these requirements addressed in UDDR and review process. Regular

An independent peer review report must be submitted with the Urban Design Development Report and Revised Landscape Design Drawings and Revised

(b) the revised warehouse layout in accordance with Condition B2; and

(c) compliance with the criteria specified in Conditions B59 to B74.

The Revised Landscape Design Drawings and Revised Architectural Drawings and associated elements must demonstrate a design that meets the design criteria and other requirements listed in Conditions B59 to B74. Details of the consultation are to be submitted as part of the Urban Design Development Report.

(b) the revised warehouse layout in accordance with Condition B2; and

(c) compliance with the criteria specified in Conditions B59 to B74.

Design Criteria

The Revised Landscape Design Drawings and Revised Architectural Drawings and associated elements must demonstrate a design that generally incorporates the principles outlined in Better Placed, Greener Places and the Green Grid documents by the NSW Government Architect and the Western Sydney District Plan (March 2018) by the Greater Sydney Commission, and

(a) provide for visitor and worker amenity;

(b) include an assessment of the Revised Landscape Design Drawings, Revised Architectural Drawings and supporting documentation against the objectives and urban design principles established in the Urban Design Development Report and all relevant conditions, stating whether the drawings demonstrate achievement of the objectives and urban design principles and that all relevant conditions of this consent have been satisfied; and

(c) include comments justifying conclusions reached in the assessment.

Note: The revised landscape drawings, architectural drawings and supporting documentation will not be accepted until they meet the objectives and design principles and all relevant conditions to the satisfaction of, with justification provided by, the peer reviewer.

The independent peer review report, prepared by Matthew Pullinger Architect (dated 13 December 2019) is provided as Appendix 4.5 of the approved UDDR.

The independent peer review report, prepared by Matthew Pullinger Architect (dated 13 December 2019) is provided as Appendix 4.5 of the approved UDDR.

The Revised Landscape Design Drawings must demonstrate a design that generally incorporates the principles outlined in Better Placed, Greener Places and the Green Grid documents by the NSW Government Architect and the Western Sydney District Plan (March 2018) by the Greater Sydney Commission, and

(a) how the objectives and principles developed in the Urban Design Development Report required under Condition B53 have been incorporated into the design;

(b) the revised warehouse layout in accordance with Condition B2; and

(c) compliance with the criteria specified in Conditions B59 to B74.

(b) the revised warehouse layout in accordance with Condition B2; and

(c) compliance with the criteria specified in Conditions B59 to B74.

(b) the revised warehouse layout in accordance with Condition B2; and

(c) compliance with the criteria specified in Conditions B59 to B74.

The revised landscape and architectural drawings and design details must be at a suitable scale (minimum plan view scale of 1:1000 at A3 with sections and details at a minimum scale of 1:200 at A3) to demonstrate:

(a) provide for visitor and worker amenity;

(b) include an assessment of the Revised Landscape Design Drawings, Revised Architectural Drawings and supporting documentation against the objectives and urban design principles established in the Urban Design Development Report and all relevant conditions, stating whether the drawings demonstrate achievement of the objectives and urban design principles and that all relevant conditions of this consent have been satisfied; and

(c) include comments justifying conclusions reached in the assessment.

Note: The revised landscape drawings, architectural drawings and supporting documentation will not be accepted until they meet the objectives and design principles and all relevant conditions to the satisfaction of, with justification provided by, the peer reviewer.

The independent peer review report, prepared by Matthew Pullinger Architect (dated 13 December 2019) is provided as Appendix 4.5 of the approved UDDR.

Confirm reviews and compliance reports. Regular

Staff and Visitor Facilities

Pedestrian and cycle paths must:

(a) be provided through the use to provide connections to Moorebank Avenue, the rail terminal office and between warehouses and the freight village; and

(b) integrate with existing and planned footpaths or cycleways in the locality.

Design, prior to construction

Design, prior to construction

Design, prior to construction

Staff and Visitor Facilities

Pedestrian and cycle paths must:

(a) be provided through the use to provide connections to Moorebank Avenue, the rail terminal office and between warehouses and the freight village; and

(b) integrate with existing and planned footpaths or cycleways in the locality.

Design, prior to construction

Design, prior to construction

Design, prior to construction

Staff and Visitor Facilities

Pedestrian and cycle paths must:

(a) be provided through the use to provide connections to Moorebank Avenue, the rail terminal office and between warehouses and the freight village; and

(b) integrate with existing and planned footpaths or cycleways in the locality.
B60 Paths must be integrated with landscaping and include mounders to allow for canopy tree clusters and a more varied walking/riding experience.

Design, prior to construction: Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.

The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.

B61 The rail terminal office, freight village and each warehouse must include an outdoor meal break area with shade, seating, lighting and landscaping including shrubs and groundcover and canopy trees where reasonable. In addition, the freight village outdoor area(s) must include a water fountain(s) or other fresh drinking water provision.

Design, prior to construction: Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.

The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.

B62 Secure bicycle parking and end-of-trip facilities must provide:

(a) a minimum 1 staff bicycle parking per 10 staff (or 1 per 10 car spaces if staff numbers are undetermined);
(b) compliance with the minimum requirements of AS 2890.3:2015 Parking facilities - Bicycle parking for the layout, design and security of bicycle facilities, and be located in easy to access, well-lit areas that incorporate passive surveillance; and
(c) under cover bike storage, showers and change facilities at each warehouse sufficient to accommodate the needs of the forecast number of employees.

Design, prior to construction: Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.

The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.

B63 Landscaping

The following minimum setbacks apply:

(a) 18 m from Moorebank Avenue with minimum soft landscaped width of 10 m, subject to any variation agreed to by the Planning Secretary at the site entrance for the purpose of facilitating the primary access driveway into the site; and
(b) 5 m setback from the western internal road to warehouse carparks.

Note: See also Condition B2.

Design, prior to construction: Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.

The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.

B64 Canopy tree planting must be provided around the perimeter of the site, including the southern fill area where future warehousing is proposed.

Design, prior to construction: Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.

The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.

B65 The southern fill area where future warehousing is proposed must be topsoiled and hydroseeded with native grasses.

Construction: Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.

The Revised Architectural Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.

B66 Perimeter fill batterys must be stabilised with vegetation.

Construction: Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.

The Revised Architectural Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.

B67 Landscaping within the warehouse area must include dense canopy tree planting, shrubs, sedges, herbs, ground covers and tufted native grasses primarily derived from OEH lists of Cumberland Plain Woodland. The canopy tree mix must include some or all of the following species: Eucalyptus crebra, Eucalyptus moluccana Eucalyptus amplifolia, Eucalyptus bosistoana, Eucalyptus leucoxylon, Eucalyptus paniculata, Eucalyptus lehmanniana, Eucalyptus camaldulensis, Eucalyptus maculata, Angophora floribunda and Angophora bakeriana.

Construction: Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.

The Revised Architectural Drawings, prepared by Ground Ink (Issue I, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDR.

B68 The following minimum landscaping requirements apply:

(a) 15% of the warehouse area landscaped at ground level, 10% of which must be soft landscaping, excluding the OSD basins unless they are accepted as contributing to soft landscaping in the peer review report required under Condition B55;
(b) 1 canopy tree per 30 m2 of landscaped area; and
(c) a 2.5 m wide landscaped bay every 6-8 car spaces to provide shade within carpark areas or alternative carpark landscaping (such as linear planting of vegetation of a minimum width of 2m between rows of carparking) accepted as providing adequate shade in the peer review report required under Condition B55.

Note: For the purposes of this condition, canopy trees are not required to be planted on or immediately adjacent to vehicle paths between the intermodal terminal and the eastern elevation of each warehouse.

Construction: Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.

The Revised Architectural Drawings, prepared by Reid Campbell (Issue L, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDR.

B69 Perimeter and on-site detention and biofiltration/ bar detention basin fences higher than 1.2m must be transparent and dark in colour but not constructed of chain wire, to provide visual amenity.

Construction: Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.

The Revised Architectural Drawings, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPIE on 9 July 2020.

B70 Boundary fencing design must allow for fauna movement where required under Condition B15(6).

Construction: Confirm these requirements addressed in UDDR and review process. Regular inspections and compliance reports.

Koala Management Plan, prepared by Cumberland Ecology (Version 3, dated 12 March 2020), was approved by DPIE on 4 May 2020.
| B71 | Screen fencing and planting must be provided around waste bins or other outside storage areas. | Construction | Confirm these requirements addressed in UDDDR and review process. | Regular inspections and compliance reports. | The Revised Architectural Drawings, prepared by Reid Campbell (Issue 1, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDDR. |
| B72 | Screen planting must be provided on both sides of noise walls. | Construction | Confirm these requirements addressed in UDDDR and review process. | Regular inspections and compliance reports. | The Revised Landscape Drawings, prepared by Ground Ink (Issue 1, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDDR. |
| B73 | Retaining wall materials and colours must be of a natural appearance and incorporate landscaping. | Construction | Confirm these requirements addressed in UDDDR and review process. | Regular inspections and compliance reports. | The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPIE on 12 August 2020. |
| B74 | Noise barriers must minimise visual and amenity impacts and be designed in accordance with the Noise wall design guideline – Design guideline to improve the appearance of noise walls in NSW (RMS, March 2016). | Construction | Confirm these requirements addressed in UDDDR/CNVMP and review process. | Regular inspections and compliance reports. | The Revised Architectural Drawings, prepared by Reid Campbell (Issue 1, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDDR. |

**Urban Design and Landscaping Supporting Information**

| B75 | The following must be included on, or provided with the Revised Landscape Design Drawings required under Condition B52: (a) irrigation systems; (b) planting schedule including tree and shrub species, expected mature height, planting densities and pot sizes; (c) soil specification and depth for landscaped areas in relation to pot sizes and species to ensure the viability of shrubs and trees; (d) landscaping around the southern and northern boundaries of the site; and (e) noise wall, retaining wall and fencing graphics and material details. | Construction | Confirm these requirements addressed in the Landscape Design drawings/UDDDR and review process. | Regular inspections and compliance reports. | The Revised Landscape Drawings, prepared by Ground Ink (Issue 1, dated 17 July 2020), are included as Appendix 4.3 of the approved UDDDR. |

**Lighting**

| B76 | Operational lighting must: (a) comply with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and (b) be designed to reduce light spill and be mounted, screened and directed in such a manner that it does not create a nuisance and minimises visual impacts to surrounding properties, the public road network, the Georges River riparian corridor and the Boot Land. | Construction | Confirm operational lighting design for site complies with nominated Australian Standards. | Confirm requirements have been addressed in review process. | The Urban Design Development Report, prepared by Reid Campbell (rev 5, dated 9 July 2020), was approved by DPIE on 12 August 2020. |

**Signage**

| B77 | The following signage is not permitted: (a) general advertising or moving or flashing signs; (b) west facing illuminated building signage visible from residences; and (c) internally illuminated signs that are visible from residences; | At all times | Confirm CEMP and OEMP contain restrictions to signage. | Conduct regular visual inspections and compliance reporting in construction and operational phase. | The Revised Architectural Drawings, prepared by Reid Campbell (Issue 1, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDDR. |
| B78 | Signage must not occupy more than 10% of any façade or wall of a building. | At all times | Conduct regular visual inspections of external facades/walls of buildings and compliance reporting in construction and operational phase. | | The Revised Architectural Drawings, prepared by Reid Campbell (Issue 1, dated 13 July 2020), are included as Appendix 4.2 of the approved UDDDR. |

**Building Floor Levels**

<p>| B79 | Building floor levels must be a minimum of 150 mm above the maximum design stormwater overland flow path levels. Building floor levels and associated maximum design stormwater overland flow path levels to AHD must be indicated on the architectural cross-section drawings. | Design, prior to construction | Confirm these requirements addressed in the UDDF and review process. | Regular inspections and compliance reports. | Stormwater Design Development Report and Revised Stormwater System Design drawings, prepared by Costin Roe (Rev C, dated 29 April 2020), was approved by DPIE on 10 May 2020. |</p>
<table>
<thead>
<tr>
<th>Code</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>B90</td>
<td>A rainwater tank(s) must be included on each warehouse, the freight village and rail terminal buildings.</td>
</tr>
<tr>
<td>B91</td>
<td><strong>Landscape Maintenance</strong>&lt;br&gt;(a) consult with the owners/occupiers of the ABB site throughout construction and operation; and&lt;br&gt;(b) provide details of construction works adjacent to the ABB site prior to those works occurring; and&lt;br&gt;<strong>The Applicant must:</strong>&lt;br&gt;Access to the ABB site must be maintained throughout construction and operation of the development.&lt;br&gt;Heavy vehicles used for haulage of imported fill or freight must not use Cambridge Avenue during construction and operation. <strong>Note:</strong> See also Condition B2(I) and B152(d)</td>
</tr>
<tr>
<td>B88</td>
<td><strong>Pest and Weed Control</strong>&lt;br&gt;(a) implement measures to manage pests, vermin and declared noxious weeds on the site; and&lt;br&gt;(b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the surrounding area.&lt;br&gt;Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Biosecurity Act 2015. <strong>The Applicant must:</strong>&lt;br&gt;At all times Maintenance of records required under the Pesticide Act. <strong>Section 2.1.3 of the approved Construction Flora and Fauna Management Plan (CFFMP) addresses pest and weed control measures for the site.</strong>&lt;br&gt;<strong>The CFFMP, prepared by Arcadis (Revision K, dated 10 March 2020), was approved by DPIE on 23 March 2020.</strong></td>
</tr>
<tr>
<td>B89</td>
<td><strong>Traffic and Access</strong>&lt;br&gt;(a) consult with the owners/occupiers of the ABB site throughout construction and operation; and&lt;br&gt;(b) provide details of construction works adjacent to the ABB site prior to those works occurring; and&lt;br&gt;<strong>The Applicant must:</strong>&lt;br&gt;Confirm development of CTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm these requirements addressed in the UDDR and review process. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm these requirements addressed in the UDDR and review process. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP and OTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm these requirements addressed in the UDDR and review process. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm these requirements addressed in the UDDR and review process. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP and OTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP and OTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm these requirements addressed in the UDDR and review process. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP and OTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm these requirements addressed in the UDDR and review process. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP and OTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm these requirements addressed in the UDDR and review process. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP and OTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm these requirements addressed in the UDDR and review process. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP and OTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm these requirements addressed in the UDDR and review process. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP and OTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP and OTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP and OTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm these requirements addressed in the UDDR and review process. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP and OTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm these requirements addressed in the UDDR and review process. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP and OTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP and OTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm these requirements addressed in the UDDR and review process. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong>&lt;br&gt;Confirm development of CTAMP and OTAMP detailing these requirements for fauna movement. <strong>The Construction Traffic and Access Management Plan (CTAMP), prepared by Arcadis (Revision I, dated 25 March 2020), was approved by DPIE on 23 April 2020.</strong></td>
</tr>
</tbody>
</table>
The Applicant must ensure that the construction and operation of the proposed development will not prevent the public use of Moorebank Avenue to a standard commensurate to its use up to prior to the development.

Note: Temporary closures or part closures and changes to the operation of Moorebank Avenue may occur for limited periods during construction as detailed in the Construction Traffic and Access Management Plan.

B92 Construction and operation
Confirm development of CTAMP and OTAMP detailing these requirements for public use of Moorebank Ave.

B93 Construction and operation
Confirm design review process contains reference to these requirements.
Conduct regular inspections to monitor compliance against these requirements.
Confirm development of CTAMP and OTAMP detailing these requirements.

RMS Supplementary Requirements

B94 The civil design and Traffic Control Signal (TCS) plans for the upgrades identified in Table 1 of Condition B84 must be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner.

The designs must be in accordance with Austroads Guide to Road Design in association with relevant RMS supplements (available on www.rms.nsw.gov.au). The certificate of the TCS design and civil design plans must be submitted to RMS for approval before the issue of a Construction Certificate and commencement of road works.

RMS fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.

B95 Construction Confirm receipt of fees.

B96 All documentation required under Condition B84 must be sent to development.sydney@rms.nsw.gov.au.

Prior to road construction works commencing Confirm engagement of suitably qualified person to draw civil design and TCS plans and suitably qualified practitioner

Confirm designs drawn to RMS standards.
Confirm payment of fees to RMS.

B97 The applicant must enter into a Works Authorisation deed (WAD) with RMS for the works identified in Table 1 of Condition B84. The applicant must also dedicate as public road under the Roads Act 1993 the parts of Lot 2 DP 1197707 (incorporating existing Moorebank Avenue) and any other land required to accommodate the road and intersection upgrade works (including associated pathways and services) identified in Table 1 of Condition B84. The WAD must provide for the dedication of the required land as public road under the Roads Act 1993 as a pre-condition to practical completion of the road and intersection upgrade works being achieved under the WAD. A Construction Certificate cannot be issued for any part of the road and intersection upgrade works unless a WAD has been entered into in compliance with this condition.

The road and intersection works identified in Table 1 of Condition B84 cannot be opened for use by traffic unless all required land has been dedicated as public road in accordance with this condition.

B98 Construction Confirm WAD entered into with RMS addressing these requirements.

B99 Prior to any installation of temporary portable traffic signals and other traffic management measures on Moorebank Avenue or Anzac Road, the Applicant must obtain the relevant approvals from RMS.

B100 Construction Confirm relevant approvals have been received.

B101 All works associated with upgrading Moorebank Avenue must be approved by RMS.

Prior to road construction works commencing Confirm Works Authorisation deed (WAD) entered into with RMS addressing these requirements.

B102 The Applicant must ensure that the construction and operation of the proposed development will not prevent the public use of Moorebank Avenue as a public road to a standard commensurate to its current use prior to the development.

A staging plan should be submitted to RMS for approval, as part of the WAD package, to ensure adequate capacity is provided along Moorebank Avenue at all times, including a requirement to maintain two lanes open to traffic. The staging plan should provide details of how the road and intersection upgrade works tie into other road upgrades works approved under the MPE Stage 1 and 2 SSD applications. Any temporary diversion works not located within the Moorebank Avenue roadway will require separate planning approval.

Construction and operation Confirm development of CTAMP and OTAMP addressing these requirements. Confirm WAD review process addresses these staging requirements.

B103 The Applicant is required to negotiate and execute an Interface and Access deed with RMS and the MS Operator (Interlink Roads Pty Ltd) prior to road construction works commencing, to address matters including interface between the parties, access provisions, compensation arrangements, and traffic management for the road upgrade works carried out on Lots 3 and 4 in Deposited Plan 1063765.

Prior to road construction works commencing Confirm Interface and Access deed with RMS and Interlink prior to construction addressing these traffic and access requirements.

B104 There are to be no works undertaken by the Applicant within the RMS (MS Motorway) land and no impact on RMS drainage infrastructure system or on adjoining Roads and Maritime assets, without the consent of the RMS and MS Motorway Operator (Interlink).

Construction Confirm no works within RMS (MS) land without prior approval of RMS and Interlink.
Regular inspection and compliance reporting.

B105 The Applicant is to liaise with and obtain relevant approvals from RMS in relation to any proposed drainage and excavation works, erection of new and/or maintenance of existing fencing on the MS Motorway boundary, erection of new noise attenuation infrastructure, and any other construction works that may impact the MS Motorway corridor.

Note: Contact is to be made to Matthew Mesina, Commercial Manager Motorway Partnerships and Planning on 02 8588 4129.

Construction Confirm no works on RMS (MS) boundary without prior approval of RMS and Interlink. Regular inspection and compliance reporting.
| S107 | To ensure that Environment, Work Health and Safety laws are fully implemented within and near the M5 Motorway corridor, the Applicant’s staff/contractors must be inducted into the M5 Motorway operator’s (Interlink) corridor and fill out a Motorway Access Permit for site activities on or immediately adjoining M5 Motorway/land, if work has to be undertaken from the M5 Motorway side. The Applicant may be required to complete a commercial agreement or bank undertaking that sufficiently mitigates the MS Operator’s (Interlink) risk. | Construction | Confirm Applicant’s staff/contractors inducted into MS Motorway operator’s (Interlink) corridor and fill out a Motorway Access Permit. Confirm commercial agreement or bank undertaking complete where required. |
| S108 | A Road Occupancy Licence is to be obtained from the Transport Management Centre for any works that may impact on traffic flows on Moorebank Avenue or the adjoining State road network during construction activities. | Construction | Confirm receipt of Road Occupancy Licence. |
| S109 | A construction zone will not be permitted on Moorebank Avenue without the express approval of RMS. | Construction | Confirm approval from RMS where construction zones required to be established on Moorebank Ave. |
| S110 | Access is denied across the MS Motorway corridor boundary and all buildings and structures are to be located wholly within the freehold property. | Construction | For reference |
| S111 | Prior to commencement of any works, the Applicant must undertake a Road Safety Audit for heavy vehicle movements associated with the importation of fill, for construction vehicle swept paths in and out of the development site via the proposed construction access points along Moorebank Avenue, and for motorists and construction vehicle movements along Moorebank Avenue during the staged road upgrade works identified in Table 1. The Road Safety Audit must be prepared by an independent TNSW accredited road safety auditor in accordance with the relevant Austroads guidelines to identify any safety issues. The Road Safety Audit must consider road safety issues for the proposed construction access arrangements and affected vehicle movements. | Prior to construction | Confirm engagement of accredited TNSW road safety auditor. Confirm Road Safety Audit completed in accordance with these requirements. The Moorebank Avenue Heavy Vehicle Access - Design Road Safety Audit (RSA) (dated 16 July 2020) was prepared by ARRB. |
| S112 | The Applicant must ensure appropriate safety and noise measures are applied (in accordance with conditions listed in Condition C1) in consultation and with the approval of the relevant road authority. Details on the proposed traffic management measures must be submitted to the Planning Secretary, TNSW and RMS. | Prior to construction | Confirm recommendations are made with the approval of relevant road authority. Confirm proposed traffic management measures are submitted to Planning Secretary, TNSW and RMS. |
| S113 | Prior to commencement of construction, the Applicant must prepare a Construction Traffic and Access Plan (CTAMP) and submit it to the Planning Secretary for approval. The CTAMP must be prepared by a suitably qualified and experienced person(s) in consultation with Council, and must be endorsed by TNSW and RMS. | Prior to construction | Confirm development of CTAMP by suitably qualified person. Confirm consultation with Council has been undertaken. Confirm endorsement from TNSW and RMS prior to submission to Secretary for approval. Confirm Secretary approval prior to commencement of construction. Construction Traffic and Access Management Plan, prepared by Arcadis (Revision 1, dated 25 March 2020) was approved by DPIE on 23 April 2020. |
| S114 | The CTAMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1, the CEMP must: (a) detail the measures that are to be implemented to ensure road safety and network efficiency during construction; (b) include a Heavy Vehicle Route Plan detailing: (i) origin of imported fill, (ii) destination of demolition material and spoil, NSW Government 20 Moorebank Intermodal Precinct West - Stage 2 Department of Planning and Environment (SSD 7709) (iii) heavy vehicle routes to and from the site within the Campbelltown and Liverpool Local Government Areas (LGAs), including compliance with the conditions of this consent including Condition B89, and (iv) management system for over sized vehicles; (c) access and parking arrangements; and (d) detail procedures for notifying residents and the community of any potential traffic disruptions. | Prior to construction | Confirm CTAMP forms part of CEMP. Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval. Construction Traffic and Access Management Plan, prepared by Arcadis (Revision 1, dated 25 March 2020) was approved by DPIE on 23 April 2020. |
| S115 | Two lanes (one in each direction) of traffic on Moorebank Avenue must be available at all times during construction, unless otherwise approved by RMS. | Construction | Confirm CEMP/CTAMP includes this provision. |
| S116 | All construction vehicles must be contained wholly within the site and vehicles must enter the site before stopping. | Construction | Confirm CEMP/CTAMP includes this provision. |
| S117 | All vehicles must enter and leave the site in a forward direction. | Construction | Confirm CEMP/CTAMP includes this provision. Operational Traffic and Access Management Plan |
| S118 | Prior to commencement of operations, the Applicant must prepare an Operational Traffic and Access Management Plan (OTAMP) and submit it to the Planning Secretary for approval. The OTAMP must be prepared by a suitably qualified and experienced person(s) in consultation with Council(s), TNSW and RMS. | Prior to operation | Confirm appointment of suitably qualified person to develop OTAMP. Confirm consultation with Council, TNSW and RMS has been undertaken prior to submission to the Secretary for approval. Confirm Secretary approval prior to commencement of operation. |
8119 The OTAMP must form part of the CEMP and, in addition to the general management plan requirements listed in Conditions C5 and C6, the OTAMP must:
(a) detail numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;
(b) detail access arrangements for the site to ensure road and site safety, and demonstrate there will be no queuing on the road network;
(c) detail measures to ensure turning areas and internal access roads are kept clear of any obstacles, including parked cars, at all times; and
(d) set out a framework and procedures for data collection required to prepare the Biannual Trip Origin and Destination Report required under Condition B120 including a main gate monitoring system (e.g. CCTV) to identify heavy vehicles turning right from the terminal site onto Moonee Bank Avenue, or turning left from Moonee Bank Avenue to the terminal site.

Prior to operation
Confirm OTAMP forms part of CEMP.
Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval.

8120 The Applicant must comply with the hours detailed in Table 2.

<table>
<thead>
<tr>
<th>Construction Hours of Work</th>
</tr>
</thead>
<tbody>
<tr>
<td>(f) limiting the need for reversing on site; and</td>
</tr>
<tr>
<td>(e) compliance with site speed limits;</td>
</tr>
<tr>
<td>(d) avoiding queuing in or around the site;</td>
</tr>
<tr>
<td>(c) no extended periods of engine idling;</td>
</tr>
<tr>
<td>(b) acceptable delivery hours;</td>
</tr>
<tr>
<td>(a) adherence to specified transport routes, including no heavy vehicle access to and from Cambridge Avenue;</td>
</tr>
</tbody>
</table>

Confirm inclusion of working hours in inductions and toolbox talks.
Periodic review of actual start and finish times.

8121 The Applicant must prepare and submit a Driver Code of Conduct to the Secretary which includes the following measures to minimise impacts:
(a) adherence to specified transport routes, including no heavy vehicle access to and from Cambridge Avenue;
(b) acceptable delivery hours;
(c) no extended periods of engine idling;
(d) avoiding queuing in or around the site;
(e) compliance with site speed limits;
(f) limiting the need for reversing on site; and
(g) consideration of the use of non-tonal movement alarms in place of reversing beepers or alternatives such as reversing cameras and proximity alarms, or a combination of these, where tonal alarms are not mandated by legislation.

At all times
Confirm Driver Code of Conduct developed as part of the CTAMP/OTAMP.
Record correspondence to all occupants/operators that they are to implement the WTP.

8122 Biannual Trip Origin and Destination Report
Each six months following commencement of operation, the Applicant must prepare a Biannual Trip Origin and Destination Report (in a format agreed with TfNSW and RMS) that advises:
(a) the total number of actual and standard twenty foot equivalent shipping containers despatched and received during the period;
(b) the number of actual and standard twenty foot equivalent shipping containers transported to and from the site by rail during the period;
(c) actual hours of operation for the truck gate listing days and hours of operation;
(d) records of vehicle numbers accessing the site including a record of heavy vehicle entry by date and approximate time; and
(e) direction of travel into and out of the site for light vehicle on a representative day; and
(f) representative vehicle origins and destinations of all classes of vehicles and covering the intermodal terminal, the warehousing facility and any other uses such as the freight village.

A copy of the report required under Condition B120 is to be submitted to the Planning Secretary, TfNSW and RMS within one month of its preparation.

6 monthly during operations
Confirm Biannual Trip Origin and Destination Report is completed, and cross checked against CoC-B120 requirements.
Confirm report is in format agreed with TfNSW and RMS and submitted to Secretary, TfNSW and RMS within one month of its preparation.

8123 Workplace Travel
Prior to the issue of any Occupation Certificate, the Applicant must prepare a specific Workplace Travel Plan and submit it to the Planning Secretary for information. The Workplace Travel Plan must be developed in consultation with TfNSW and outline facilities and measures to promote public transport usage, including:
(a) peak period and off-peak responsive express buses to/from the site and Liverpool Station via Moorabbin Avenue and Heathcote Road with frequency dependent on the development of the site; and
(b) peak period express buses to/from the site and Heathcote Road with frequency dependent on the development of the site; and
(c) consideration of extension of the 901 bus service and new bus stop locations if required.

Prior to issue of Occupation Certificate
Confirm consultation with TfNSW has occurred.
Confirm submission of Workplace Travel Plan to Secretary.

8124 The Applicant must provide an annual report on employee numbers to the Department, TfNSW and RMS, commencing one year after commencement of operation of the IMT facility and for up to 5 years from occupation of the final warehouse building.

Commencing one year after commencement of operation of the IMT facility and for up to 5 years from occupation of the final warehouse building
Confirm submission of annual report to Department, TfNSW and RMS.

8125 The Applicant and each occupant/operator must implement the most recent version of the Workplace Travel Plan for the duration of the development.

At all times
Confirm each occupant/operator receives a copy of the Workplace Travel Plan (WTP).
Record correspondence to all occupants/operators that they are to implement the WTP.

Driver Code of Conduct
8124 The Applicant must prepare and submit a Driver Code of Conduct to the Secretary which includes the following measures to minimise impacts:
(a) adherence to specified transport routes, including no heavy vehicle access to and from Cambridge Avenue;
(b) acceptable delivery hours;
(c) no extended periods of engine idling;
(d) avoiding queuing in or around the site;
(e) compliance with site speed limits;
(f) limiting the need for reversing on site; and
(g) consideration of the use of non-tonal movement alarms in place of reversing beepers or alternatives such as reversing cameras and proximity alarms, or a combination of these, where tonal alarms are not mandated by legislation.

Construction
Confirm Driver Code of Conduct developed as part of the CTAMP/OTAMP.
Confirm Driver Code of Conduct review process includes a checklist against these requirements prior to submission to the Secretary for approval.

Construction Hours of Work
8125 The Applicant must comply with the hours detailed in Table 2.
### Construction Noise and Vibration Management Plan

**B126**

Except as permitted by an EPL, activities resulting in high noise intensive works (including impulsive or tonal noise emissions) must only be undertaken:

1. Between the hours of 8:00 am to 6:00 pm Monday to Friday;
2. Between the hours of 8:00 am to 1:00 pm Saturday;
3. In continuous blocks not exceeding three hours each with a minimum respite from these activities and works of not less than one hour between each block.

Note 1: For the purposes of this condition, ‘continuous’ includes any period during which there is less than a one hour respite between ceasing and recommencing of any of the work that is the subject of this condition.

Note 2: Section 4.4.2(c)(i) of the EP&A Act requires that an EPL be substantially consistent with this approval. Out-of-hours works considered under Condition B127 must be justified and include an assessment of mitigation measures.

**B127**

Construction outside of the hours identified in Condition B125 may be undertaken in any of the following circumstances:

1. Works that are inaudible at the nearest sensitive receivers;
2. Works that have been negotiated with affected receivers;
3. Works agreed to in writing by the Plans Secretary;
4. For the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons;
5. Where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm; or
6. Where they are undertaken in accordance with an Out-Of-Hours Work Protocol under Condition B135.

**B128**

Blasting is not permitted on the site.

### Noise Wall

**B129**

Prior to the commencement of operation of any part of the development, the Applicant must construct a 5 m high noise wall along the entire length of the western internal road as shown in Appendix 1 (as detailed in the EIS and RIS Noise and Vibration Impact Assessment modelling).

Prior to operation, Confirm operation commencement date.

**B130**

The permitted hours of operation are detailed in Table 3.

<table>
<thead>
<tr>
<th>Hours of Operation</th>
<th>Operation</th>
</tr>
</thead>
<tbody>
<tr>
<td>construction</td>
<td>Confirm working hours are included in CEMP.</td>
</tr>
<tr>
<td>operation</td>
<td>Confirm inclusion of working hours in CEMP.</td>
</tr>
<tr>
<td>operation</td>
<td>Confirm periodic review of actual start and finish times.</td>
</tr>
</tbody>
</table>

### Operation of Rail Terminal, Locomotives and Wagons

**B132**

Terminal and rail port shuttle operations must comply with the following:

1. Best practice plant for the intermodal terminal facility, including electronic automated container handling equipment or equipment with equivalent sound power levels;
2. Locomotives using the development must meet the air emissions standards and noise requirements as specified in the Moorebank Precinct East – Stage 1 Project: Best Practice Review (550.12.6766), prepared by Arcadis dated 19 September 2017;
3. Wagons using the development must incorporate available best practice noise technologies, such as "one-piece" freight bogies or three-piece freight bogies fitted with cross-bracing or steering arms; and permanently coupled 'multi-pack' steering wagons using Electromechanical Controlled Pneumatic (ECP) braking with a wire based distributed power system (or better practice technology);
4. Automatic rail lubrication equipment must be used in accordance with AS4 Standard T HR TR 00111 ST Rail Lubrication and top of rail friction modifiers, where required; and
5. The rail cross sectional profile must be maintained in accordance with ETN–01-02 Rail Grinding Manual for Plain Track to ensure the correct wheel/ rail contact position and hence to encourage proper rolling, stock steering.

**B133**

For all terminal and rail operations, a monitoring and performance management regime is to be established in accordance with the conditions of this consent, including but not limited to the requirements of conditions B140-B143, with the objective of ensuring there is no deterioration in noise performance and continual improvement in rail noise outcomes from rail operations throughout the life of the development.

**B134**

Prior to commencement of construction, the Applicant must prepare a Construction Noise and Vibration Management Plan (CNVMP) and submit it to the Planning Secretary for approval. The CNVMP must be consistent with the guidelines contained in the ICNG (DECC, 2009).

<table>
<thead>
<tr>
<th>Construction Noise and Vibration Management Plan</th>
<th>Construction</th>
<th>Review consistency of CNVMP against the guidelines contained in the ICNG (DECC, 2009) prior to submission to the Secretary for approval.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Noise and Vibration Management Plan</td>
<td>Construction</td>
<td>Confirm Secretary approval prior to commencement of construction.</td>
</tr>
</tbody>
</table>

Note 1: For the purposes of this condition, ‘continuous’ includes any period during which there is less than a one hour respite between ceasing and recommencing of any of the work that is the subject of this condition.

Note 2: Section 4.4.2(c)(i) of the EP&A Act requires that an EPL be substantially consistent with this approval. Out-of-hours works considered under Condition B127 must be justified and include an assessment of mitigation measures.
The CNVMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1, the CNVMP must include:

(a) identification of the work areas, site compounds and internal access routes;

(b) identification of the type and number of plant and equipment expected on site at the same time;

(c) details of construction activities and a construction program, including the identification of key noise and/or vibration generating construction activities (based on representative construction scenarios) that have the potential to generate noise and/or vibration impacts on surrounding sensitive receivers, particularly residential areas;

(d) identification of sensitive receivers (including heritage structures if relevant) and relevant construction noise management levels (NMLs) using the ICNG, vibration criteria using the Assessing Vibration: a Technical Guide (DECC 2006) (for human exposure) and vibration limits set out in the German Standard DIN 4150-3: Structural Vibration effects of vibration on structures (for structural damage);

(e) identification of any construction activities predicted to exceed NMLs;

(f) identification of feasible and reasonable measures to be implemented to minimise and manage construction noise impacts, including, but not limited to, acoustic enclosures, erection of noise walls (hoardings), respite periods; and

(g) an Out-of-hours Work Protocol for the assessment, management and approval of works associated with the Moorebank Avenue/Anzac Road upgrade, the delivery of the rail link connection, and works required to be undertaken during rail corridor possessions, outside of the hours identified in Condition B125. The Out-of-hours Work Protocol must:

(i) detail an assessment of out-of-hours works against the relevant NMLs and vibration criteria,

(ii) provide detailed mitigation measures for any residual impacts (that is, additional to general mitigation measures), including extent of at-receiver treatments, and

(iii) include proposed notification arrangements.

Operational Noise Management Plan

Prior to commencement of operation, the Applicant must prepare an Operational Noise Management Plan (ONMP) and submit it to the Planning Secretary for approval. The ONMP must be prepared by a suitably qualified and experienced person(s).

Mechanical Plant and Other Noisy Equipment Monitoring

Prior to construction of the freight terminal, freight village and each warehouse, the Applicant must submit to the Secretary a Noise Assessment for Mechanical Plant and other noisy equipment to demonstrate that plant and equipment has been selected to meet the overall noise limits specified in Table 4.

The Applicant must carry out noise monitoring of mechanical plant and other noisy equipment for a minimum period of one week where valid data is collected following operation/occupation of the freight terminal, freight village and each warehouse. The monitoring program must be carried out by a suitably qualified and experienced person(s) and a Monitoring Report for Mechanical Plant must be submitted to the Planning Secretary within two months of operation of the freight terminal and occupation of each tenancy to verify predicted mechanical plant and equipment noise levels. Within 2 months of

Site Noise Monitoring and Reporting

The Construction Noise and Vibration Management Plan, prepared by Renzo Tonin & Associates (Revision 7, dated 29 January 2020), was approved by DPIE on 7 February 2020.
The Applicant must install and maintain a rail noise monitoring system on the rail link at the commencement of operation to continuously monitor the noise from rail operations on the rail link. The system must capture the noise from each individual train passby noise generation event, and include information to identify:

(a) time and date of freight train passby;
(b) imagery or video to enable identification of the rolling stock during the day and night;
(c) L(Aeq)(15hour) and L(Aeq)(Hour) from rail operations; and
(d) L(Aeq)(max) and SEL of individual train passbys, measured in accordance with ISO3095; or
(e) other alternative information as agreed with, or required by, the Planning Secretary.

The results from the noise monitoring system, must be publicly accessible from a website maintained by the Applicant. The noise results from each train must be available as live data on the website, unless unforeseen circumstances (i.e. a system malfunction) have occurred. The L(Aeq)(15hour) and L(Aeq)(9Hour) results from each day must be available on the website within 1 hour of the period ending.

The Operational Noise Report is to be verified by a suitably qualified and experienced noise and vibration expert.

Aboriginal Sites

A Salvage Strategy must be developed in consultation with OEH and with relevant Registered Aboriginal Parties prior to any impacts on Aboriginal objects and sites.

Confirm development of Salvage Strategy in consultation with OEH and RAPs.

The Aboriginal Cultural Heritage Salvage Strategy, prepared by Artefact Heritage (Revision 15, dated 21 January 2020) has been prepared in consultation with RAPs and OEH, and was submitted to DHE for information on 17 January 2020.

Staged salvage excavation of selected areas should be conducted in consultation with Registered Aboriginal Parties. These stages include:

(a) dispersed pits placed along transects within the Terrace PAD and the tertiary terrace (between MA10 and MA14 – refer to Figure 16-2 of the EIS); and
(b) open area salvage excavation, targeting the artefact concentrations at MA10 and MA14, as well as any additional artefact concentrations identified during (a) above.

Confirm staged salvage excavation conducted in consultation with RAPs and includes these requirements.

The Aboriginal Cultural Heritage Salvage Strategy, stages prepared by Artefact Heritage (Revision 15, dated 21 January 2020) has been prepared in consultation with RAPs and OEH, and was submitted to DHE for information on 17 January 2020.
<table>
<thead>
<tr>
<th>Rule</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>B147</td>
<td>Following completion of salvage, the Applicant must prepare an Aboriginal Cultural Heritage Salvage Report in accordance with any guidelines and standards or OEH requirements. The report must include details of any archival recording, further archaeological research either undertaken or to be carried out, and archaeological excavations (with artifact analysis and identification of a final repository for finds) and be submitted to the Planning Secretary, OEH, relevant Council(s) and Registered Aboriginal Parties, where relevant, for information within 12 months after the completion of salvage works. Construction: confirm Aboriginal Cultural Heritage Salvage Report has been prepared. Review process includes checklist against guidelines, standards or OEH requirements. Confirm submission of this Report to Secretary, OEH, relevant Councils and RAPs within 12 months of completion of works.</td>
</tr>
<tr>
<td>B148</td>
<td>If any Aboriginal object of Aboriginal place is identified on site, or suspected to be on site (other than those identified in the RAP): (a) all work in the immediate vicinity of the object or place must cease immediately; (b) a 10 m wide buffer area around the object or place must be cordoned off; and (c) OEH must be contacted immediately. Construction: confirm inclusion of the unexpected finds protocol as part of the approved CEMP. Confirm content inclusion in training, induction and pre-work startups or toolbox talks. Review incident register. Where triggered, confirm written approval from OEH has been obtained.</td>
</tr>
<tr>
<td>B149</td>
<td>Work in the immediate vicinity may only recommence if: (a) the object or place is confirmed by OEH upon consultation with the Registered Aboriginal Parties, not to be an Aboriginal object or Aboriginal place; or (b) an Aboriginal Cultural Heritage Management Plan is prepared in consultation with the Registered Aboriginal Parties and OEH to include the object or place and appropriate measures in respect of it, and the Plan is approved by the Planning Secretary; or (c) OEH is satisfied as to the measures to be implemented in respect of the object or place and makes a written direction in that regard. Construction: confirm Aboriginal Cultural Heritage Management Plan is prepared in consultation with the RAPs and OEH. Where triggered, confirm written approval from OEH has been obtained. The ACHMP for the unexpected find was prepared by Artifact (dated 16 October 2020) and was approved by DPIE on 20 October 2020. Following the approval of the ACHMP, works recommenced on site, in accordance with this condition.</td>
</tr>
<tr>
<td>B150</td>
<td>If any unexpected archaeological relics are uncovered: (a) all work in the immediate vicinity of the find must cease immediately; (b) OEH Heritage Division must be notified; (c) a suitably qualified and experienced archaeologist (e.g. project archaeologist) must record and assess the significance of the find with the results reported to the Planning Secretary, OEH Heritage Division, Council and the local Historical Society; and (d) where required, a Management Strategy is to be developed and implemented in consultation with the OEH Heritage Division. Construction: confirm inclusion of the unexpected finds protocol as part of the approved CEMP. Confirm content inclusion in training, induction and pre-work startups or toolbox talks. Review incident register. Provide evidence of the Management Strategy (if required).</td>
</tr>
<tr>
<td>B151</td>
<td>Work in the immediate vicinity of the find may only recommence on the advice of the project archaeologist. Construction: Where triggered, confirm written approval from project archaeologist has been obtained.</td>
</tr>
<tr>
<td>B152</td>
<td>Prior to clearing of native vegetation, a Koala Management Plan (KMP) must be prepared by a suitably qualified person in consultation with OEH and be submitted to the Planning Secretary for approval. The KMP must: (a) make reference to A review of koala tree use across New South Wales (OEH 2018); (b) identify habitat corridors, of adequate dimensions to provide an adequate Koala habitat corridor as supported by a Koala specialist, to provide connectivity both within the Intermodal Precinct area and with other core koala habitat areas (i.e. to the south and to the west along Georges River); (c) include commitment to retain koala use trees on site in line with phased earthworks (see e.g. Condition B40); (d) include details of structures to eliminate barriers to movement (presented by fences, roads, drainage culverts or pits, rail lines and the like) for koalas and other native fauna likely to use the site or habitat corridor; (e) include details on koala habitat rehabilitation/ restoration within the identified habitat corridors; and (f) include other measures to minimise the risk of harm to koalas. Construction: Confirm development of KMP by suitably qualified person and provide evidence of qualifications and experience. Confirm OEH consulted during KMP development. Confirm environmental management plan review process includes a checklist against these requirements prior to submission to the Secretary for approval. Koala Management Plan, prepared by Cumberland Ecology (Version 1, dated 12 March 2020), was approved by DPIE on 4 May 2020.</td>
</tr>
<tr>
<td>B153</td>
<td>The Applicant must: (a) ensure that no more than 42.89 hectares of native vegetation is cleared for the development; and (b) before any work commences, install and maintain exclusion fencing along the riparian corridor and around any native vegetation not being removed as part of the development. Construction: Confirm no more than 42.89 hectares of native vegetation is cleared. Confirm installation and maintenance of exclusion fencing along riparian corridor and around remaining native vegetation before commencement of works. Regular inspections / compliance reporting.</td>
</tr>
</tbody>
</table>
Prior to the commencement of any works, the Applicant must engage a Site Auditor accredited under the Contaminated Land Site Auditor native fauna.

(b) management and maintenance of other measures and site operations to minimise the risk of harm to koalas and other native fauna.

include:

(a) monitoring, management and maintenance procedures for koala habitat corridors; and

(c) measures to ensure biodiversity values not intended to be impacted are protected including mapping of protected/‘no-go’ areas.

Note: A version of the CFFMP is to be submitted prior to any clearing required to conduct remediation. In accordance with the definition of construction, that version of the CFFMP can be prepared and submitted for approval as a standalone document prior to any clearing required to conduct remediation, and a full CEMP does not need to be submitted at that point in time.

Prior to operation an Operational Flora and Fauna Management Plan (OFFMP) must be prepared by a suitably qualified person in consultation with OEH and submitted to the Planning Secretary for approval. The OFFMP must include:

(a) measures to minimise the loss of key fauna habitat (including tree hollows and koala feed trees);

(b) measures to minimise the impacts on fauna on site; and

(c) measures to ensure biodiversity values not intended to be impacted are protected including mapping of protected/‘no-go’ areas.

Prior to the commencement of operation an Operational Flora and Fauna Management Plan (OFFMP) must be prepared by a suitably qualified person in consultation with OEH and be submitted to the Planning Secretary for approval. The OFFMP must include:

(a) measures to minimise the loss of key fauna habitat (including tree hollows and koala feed trees);

(b) measures to minimise the impacts on fauna on site; and

(c) measures to ensure biodiversity values not intended to be impacted are protected including mapping of protected/‘no-go’ areas.

Note: A version of the CFFMP is to be submitted prior to any clearing required to conduct remediation. In accordance with the definition of construction, that version of the CFFMP can be prepared and submitted for approval as a standalone document prior to any clearing required to conduct remediation, and a full CEMP does not need to be submitted at that point in time.

Prior to any impact on the species to be offset, the Applicant must retire biodiversity credits specified in Table 5 and Table 6 if required. The retirement of credits must be carried out in accordance with the NSW Biodiversity Offsets Policy for Major Projects (OEH 2014).

At all times

Confirm cessation of works where native flora and fauna listed in Condition A3 is threatened. Confirm consultation with Ecologist and notification of OEH where required. Regular inspections/compliance reporting.

Operational Flora and Fauna Management

Prior to the commencement of operation an Operational Flora and Fauna Management Plan (OFFMP) must be prepared by a suitably qualified person in consultation with OEH and be submitted to the Planning Secretary for approval. The OFFMP must include:

(a) monitoring, management and maintenance procedures for koala habitat corridors; and

(b) management and maintenance of other measures and site operations to minimise the risk of harm to koalas and other native fauna.

Prior to operation

Confirm development of OFFMP by suitably qualified person.

Confirm environmental management plan/OFFMP review process includes a checklist against these requirements prior to submission to the Secretary for approval.

Confirm OFFMP submitted to Secretary prior to any clearing required to conduct remediation, if required.

Site Auditor

Prior to the commencement of any works, the Applicant must engage a Site Auditor accredited under the Contaminated Land Management Act 1997 NSW Site Auditor Scheme.

Prior to construction

Confirm engagement of accredited Site Auditor.

Per- and Polyfluoroalkyl Substances (PFAS) Contamination

Construction Flora and Fauna Management Plan, prepared by Arcadis (Revision K, dated 10 March 2020), was approved by DPIE on 23 March 2020.

Construction Flora and Fauna Management Plan, prepared by Arcadis (Revision K, dated 10 March 2020), was approved by DPIE on 23 March 2020.
<table>
<thead>
<tr>
<th>Condition</th>
<th>Requirement</th>
<th>Confirmation</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>B162</td>
<td>Prior to construction, the Applicant must provide the EPA with a copy of all reports to date relating to the assessment of per- and poly-fluoroalkyl substances (PFAS) undertaken for the development and in relation to contamination from the development.</td>
<td>Prior to construction</td>
<td>Confirm EPA provided a copy of PFAS reports prior to construction.</td>
</tr>
<tr>
<td>B163</td>
<td>Should the Applicant identify a potential risk to off-site receptors due to PFAS contamination, the Applicant must contact the EPA as soon as practicable to discuss requirements for community consultation.</td>
<td>At all times</td>
<td>Confirm EPA contacted where PFAS off-site risks identified.</td>
</tr>
<tr>
<td>B164</td>
<td>Prior to vegetation clearing: (a) the Applicant must identify contamination within vegetated areas and prepare options for remediation in those areas, with the objectives to: (i) retain vegetation to the greatest extent possible beyond the completion of remediation; (ii) minimize land disturbance in accordance with Condition B41; and (iii) not reduce the ability to provide connectivity and habitat corridors in accordance with Conditions B2 and B152; (b) where remediation requires prior vegetation clearing, an appropriate assessment of the impact of clearing on contaminated land must be prepared by a suitably qualified and experienced consultant; and (c) where contamination is identified as occurring within these areas where vegetation is proposed to be cleared, a Contamination Management Plan must be prepared in consultation with the Site Auditor detailing the location and nature of the contamination and the proposed remediation and/or management measures that will be undertaken to address the on-site and potential off-site impacts.</td>
<td>Prior to vegetation clearing</td>
<td>Confirm contamination assessment/Contamination Management Plan (CMP) completed prior to vegetation clearing/remediation. Confirm CMP prepared in consultation with Site Auditor and meets these requirements.</td>
</tr>
<tr>
<td>B165</td>
<td>A copy of the assessment required by Condition B164 above and any associated update of the CMP required must be provided to the Planning Secretary for approval one month before commencement of vegetation clearing. Evidence of consultation with the Site Auditor must be included.</td>
<td>1 month prior to vegetation clearing</td>
<td>Confirm CMP/CEMP provided to Secretary 1 month prior to vegetation clearing. Confirm consultation with Site Auditor.</td>
</tr>
<tr>
<td>B166</td>
<td>Following vegetation clearing and prior to the commencement of other construction activities, the Applicant must complete remediation of the site in accordance with any relevant Remediation Action Plan (RAP) to the satisfaction of the Planning Secretary. The RAP must include options to remediate and/or manage PFAS impacted areas across the site, including the conservation area. The RAP must be submitted to the accredited site auditor and the NSW EPA for comment prior to implementation. If any amendments are required to the RAP, the amendments must be approved by an EPA accredited Site Auditor.</td>
<td>Prior to other construction works (other than vegetation clearing)</td>
<td>Confirm remediation of site in accordance with RAP. Confirm submission of RAP to Site Auditor and EPA for comment prior to implementation. Confirm Site Auditor has approved any amendments.</td>
</tr>
<tr>
<td>B167</td>
<td>The Applicant must prepare a Validation Report for the Stage 1 development. The Validation Report must: (a) be reviewed by an EPA accredited Site Auditor; (b) be prepared in accordance with the RAP and the Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (OEH, 2011); (c) include, but not be limited to: (i) review of the extent and nature of the remediation undertaken, (ii) description of the location, nature and extent of any remaining contamination on site, (iii) sampling and analysis plan and sampling methodology, (iv) details of the volume of treated material emplaced within any remaining containment cell, (v) results of any validation sampling, compared to relevant guidelines/ criteria, and (vi) discussion of the suitability of the remediated areas for the intended future land uses described under SSD 5066 and SSD 7709 – Stage 2 (including for the raised landform and imported fill characteristics and the drainage outlet structures in the riparian corridor).</td>
<td>Prior to construction</td>
<td>Confirm Validation Report prepared for Stage 1 addressing these requirements. Confirm Report reviewed by Site Auditor and prepared in accordance with OEH guidelines.</td>
</tr>
</tbody>
</table>

The above conditions are part of a larger set of requirements aimed at ensuring the site is remediated to acceptable standards and any potential risks to the environment and community are mitigated. Each condition is designed to ensure that the development meets specific criteria and receives oversight from relevant regulatory bodies.
A copy of the Validation Report must be provided to the Planning Secretary, EPA and the Certifying Authority prior to commencement of construction (other than vegetation clearing for remediation) and

Confirm commencement construction date.

Confirm submission of report to Planning Secretary, EPA and Certifying Authority prior to construction.

Following review by the Site Auditor, the validation reports were submitted electronically to DPIE on 20 November 2020, to the EPA via email on 23 November 2020, and to the Certifying Authority via email on 24 November 2020.

Site Audit Statements

Upon completion of the remediation required in relation to Stage 1 (SSD 5066) and this development and prior to the commencement of construction (other than the vegetation clearing required for remediation) in relation to this approval (i.e. Stage 2 SSD 7709), the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement A for the whole site, prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017, which demonstrates the site is suitable for its intended land uses under Stage 2 SSD 7709 including for the:

(a) importation and placement of fill, (b) construction of a warehouse estate including warehouse buildings, (c) development of an intermodal terminal, and

d) protection of the conservation area including riparian corridor and biodiversity offset sites.

A copy of the Validation Report must be provided to the Planning Secretary, EPA and the Certifying Authority prior to construction commencing.

Confirm Site Audit Report and Site Audit Statement submitted to Secretary upon completion of remediation (under Stage 1) and commencement of construction (other than clearing).

The Stage 1 Early Works (Land Preparation Works - Demolition and Remediation) Moorebank Precinct West Site Audit Statement Site Audit Report and Site Audit Statement (SAS no. 0901-1613-7) were issued by the Site Auditor on 18 September 2020 and submitted to DPIE on 26 October 2020.

DPIE responded with no comments on 11 November 2020.

The Stage 2 Works - Completion of Remediation Pre-Construction (Condition B169 Audit) Moorebank Precinct West Site Audit Report and Site Audit Statement (SAS no. 0901-2014) were issued by the Site Auditor on 24 November 2020.

To ensure that no residual contaminated land on site is impacted by this approval, the requirements of Site Audit Statement A required by Condition B169 cannot be staged.

All times

For reference

Noted.

Upon completion of importation and placement of fill and prior to construction of permanent built surface works, the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement A for the whole site, prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017, which demonstrates the site is suitable for its intended land uses under MPW Stage 2 SSD 7709.

Confirm submission of Site Audit Report and Site Audit Statement A to Planning Secretary.

The Stage 2 Works - Completion of Remediation Pre-Construction (Condition B169 Audit) Moorebank Precinct West Site Audit Report and Site Audit Statement (SAS no. 0901-2014) were issued by the Site Auditor on 24 November 2020.

Where remediation outcomes for the site require long term environmental management, a suitably qualified and experienced person must prepare a Long Term Environmental Management Plan (LTEMP), to the satisfaction of the Site Auditor. The plan must:

(a) be submitted to the Planning Secretary and EPA prior to commencement of construction (other than vegetation clearing), and

(b) include, but not be limited to:

(i) a description of the nature and location of any contamination remaining on site, (ii) provisions to manage and monitor any remaining contamination, including details of any restrictions placed on the land to prevent development over the containment cell, (iii) a description of the procedures for managing any leachate generated from the containment cell, including any requirements for testing, pumping, treatment and/ or disposal, (iv) a description of the procedures for monitoring the integrity of the containment cell, (v) a surface and groundwater monitoring program, (vi) mechanisms to report results to relevant agencies, (vii) triggers that would indicate if further remediation is required, and

(viii) details of any contingency measures that the Applicant is to carry out to address any ongoing contamination.

Prior to construction

Confirm development of LTEMP by suitably qualified person. Confirm environmental management plan review process includes a checklist against these requirements.

Confirm Site Auditor satisfied with the LTEMP prior to construction commencing.

Confirm submission of report to Planning Secretary, EPA and Certifying Authority prior to construction commencing.

The Moorebank Precinct West Long-Term Environmental Management Plan (LTEMP) (v12, dated 27 October 2020) was prepared by EP Risk.

Site Audit Interim Advice 06 - Review of Revised LTEMP for MPW, Moorebank Intermodal Terminal was issued by the Site Auditor on 18 November 2020 and confirms that the LTEMP has been prepared to the satisfaction of the Site Auditor.

The LTEMP was submitted to DPIE and the EPA for information on 24 November 2020.

The LTEMP must be registered on the title to the land.

Prior to construction (other than vegetation clearing)

Confirm LTEMP is registered.
The CEMP required under Condition C2 must include an Unexpected Finds Protocol(s) for, but not limited to, contamination, ordnances, Aboriginal sites, non-indigenous heritage and flora and fauna.

Prior to construction Confirm Unexpected Finds Protocol(s) is Appendix D of the approved CEMP.

The protocols have been prepared by G-Tek, who are listed on the Defence Panel of suitably qualified UXO consultants and contractors, in accordance with this condition.

Hazardous and Offensive

The total quantities of dangerous goods present at any time within the development and transport movements to and from the development must be kept below the screening threshold quantities and movements listed in the Department’s Hazardous and Offensive Development Guidelines Applying SEPP 33 (January 2011).

Construction and Operation Confirm these requirements stipulated in CEMP/OEMP.

Regular inspections / compliance reporting.

The Applicant (the operator/occupant of each premises) must store and handle all chemicals, fuels and oils, including Dangerous Goods as defined in the Australian Code for the Transport of Dangerous Goods by Road & Rail, in accordance with:

(a) the requirements of all relevant Australian Standards; and
(b) the NSW EPA’s Storing and Handling of Liquids: Environmental Protection – Participant’s Manual if the chemicals are liquids.

In the event of an inconsistency between the requirements listed above in (a) and (b), the most stringent requirement must prevail to the extent of the inconsistency.

Operation Confirm operation/occupants store and handle chemicals/dangerous goods in accordance with Australian Code for the Transport of Dangerous Goods by Road & Rail, and these requirements. Confirm these requirements are included in Warehouse Operational Environmental Management Plans (WOEMPs) and tenancy leases/agreements.

Regular inspections/compliance reporting.

Fuel stored on the site must only be used for the purposes of refuelling IMT facility plant and equipment and locomotives.

Operation Confirm fuel stored on site only used for refuelling IMT facility plant / equipment and locomotives.

Confirm above requirements included in tenancy agreements / leases.

Regular inspections/compliance reporting.

Prior to the occupation of each premises and in each instance of occupation by a new occupant, a statement must be submitted to the Planning Secretary confirming that the premises will be operated so as to comply with the requirements of Conditions B176 and B177.

Operation Confirm submission of statement to Secretary detailing compliance of operations of premises (to B176 and B177) prior to occupation of each premises.

Waste Management

All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the waste.

Operation Confirm waste removed from site directed to licensed facilities.

The Applicant must obtain agreement from Council for the design of the waste storage area for each warehouse where the waste collection service will be provided by Council.

Operation Confirm agreement with Council for design of any warehouse waste storage areas if waste to be collected by Council.

The CEMP required under Condition C5 must include measures for waste management in accordance with the waste hierarchy set out in the EPA’s NSW Waste Avoidance and Resource Recovery Strategy 2014-2021.

Operation Confirm OEMP includes measures for waste management in accordance with EPA Strategy.

Confirm CEMP includes Unexpected Finds Protocol(s).

Regular inspections/compliance reporting.

Concrete Batching Plant

The concrete batching plants must comply with the following criteria:

(a) have a total production capacity less than 150 tonnes per day or 30,000 tonnes per year;
(b) only one concrete batching plant is to operate at any one time; and
(c) the first concrete batching plant must be disassembled immediately following commencement of operation of the second concrete batching plant.

Construction For reference. Currently no planned Concrete Batching Plants.

Crushing Plant

The CEMP required under Condition C2 must include:

(a) a drawing showing the location and layout of the two concrete batching plants including facilities for cementitious water treatment and connections to construction site water management and erosion and sediment control structures;
(b) mitigation, monitoring and management procedures specific to the concrete batching plants that would be implemented to minimise environmental and amenity impacts during both facility establishment and operation; and
(c) timeframes for establishment of all of the batching plants.
Prior to construction, confirm CEMP includes mitigations to minimise impacts from crushing plant.

Prior to construction, confirm CEMP includes mitigations to minimise impacts from container wash down facility.

Prior to the commencement of construction and operation, confirm ERP includes Operational Bushfire Emergency and Evacuation Management Plan.

Prior to the commencement of construction and operation, confirm ERP includes mitigations to minimise impacts from container wash down facility.

Prior to the commencement of construction and operation, confirm the Content requirements of the Bushfire Emergency and Evacuation Management Plan is prepared by Arcadis (Revision E, dated 7 April 2020), was submitted to DPIE for information on 9 April 2020.

Prior to the commencement of construction and operation, the Applicant must prepare an Emergency Response Plan(s) for construction and operation.

For information on 9 April 2020.
Prior to occupancy of any freight village or warehouse tenancy, and every subsequent occupation of these tenancies, details of the tenant and occupation activity is to be submitted to the Planning Secretary demonstrating that the proposed activity complies with Conditions A17 and A20.

Prior to occupancy, confirm all new tenancy agreements include a compliance check against A17 and A20 prior to occupation.

Confirm details of tenant and occupation activity submitted to Secretary (detailing compliance with A17 and A20) prior to any freight village or warehouse tenancy and subsequent occupations.
Management Plan Requirements

C1 Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
(a) detailed baseline data;
(b) details of:
(i) any relevant limits or performance measures and criteria; and
(ii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
(d) a program to monitor and report on:
(i) impacts and environmental performance of the development;
(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;
(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
(f) a program to investigate and implement ways to improve the environmental performance of the development over time;
(g) a protocol for managing and reporting any:
(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria); and
(ii) complaint;
(h) a protocol for managing and reporting any:
(i) failure to comply with statutory requirements;
(2) roles and responsibilities for implementing the plan; and
(i) a protocol for periodic review of the plan.

Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.

C2 The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and submit it to the Planning Secretary for approval.

Prior to construction
Review content of CEMP and OEMP (and sub-plans) to confirm it accords with requirements.

Record submission of CEMP to Secretary for approval.

Record approval of CEMP from Secretary.

The CEMP was approved by DPIE on 23 January 2020.

C3 As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following:
(a) Soil and Water Management Plan (see Condition B29);
(b) Acid Sulfate Soils Management Plan (see Condition B39);
(c) Construction Traffic and Access Management Plan (see Condition B113);
(d) Construction Noise and Vibration Management Plan (see Condition B134);
(e) Out-of-hours Work Protocol (see Condition B150(i));
(f) Construction Flora and Fauna Management Plan (see Condition B154); and
(g) Unexpected Finds Protocol(s) (see Condition B175).

Prior to construction
Review content of the environmental management plans (as sub-plans of the CEMP) to confirm they meet the requirements.

Record submission of environmental management plans to Secretary for approval.

Record approval of environmental management plans from Secretary.

The approval dates of these management plans are provided in this table against the relevant condition of consent.

C4 The Applicant must:
(a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
(b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

Prior to construction
Confirm commencement date of construction.

Confirm approval of CEMP prior to commencement of construction.

The CEMP was approved by DPIE on 23 January 2020.

C5 The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition C1 and submit it to the Planning Secretary for approval.

Prior to operation
Review content of OEMP and CEMP (and sub-plans) to confirm it accords with requirements.

Record submission of OEMP to Secretary for approval.

Record approval of OEMP from Secretary.

The approval of these plans is outlined in this table.
As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following:

(a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;

(b) describe the procedures that would be implemented to:
   (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
   (ii) receive, handle, respond to, and record complaints;
   (iii) resolve any disputes that may arise;
   (iv) respond to any non-compliance;
   (v) respond to emergencies; and
   (vi) include the following environmental management plans:
      (I) Operational Traffic and Access Management Plan (see Condition B118);
      (II) Stormwater Infrastructure Operation and Maintenance Plan (see Condition B36);
      (III) Stormwater Quality Monitoring Program (see Condition B38);
      (IV) Landscape Vegetation Management Plan (see Condition B82);
      (V) Operational Traffic and Access Management Plan (see Condition B118);
      (VII) Operational Flora and Fauna Management Plan (see Condition B160).

Prior to operation, review content of OEMP to confirm it accords with requirements.

The Applicant must:

(a) not commence operation until the OEMP is approved by the Planning Secretary; and
(b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

Prior to operation, confirm commencement date of operation. Confirm approval of CEMP prior to commencement of operation.

The strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.

Within three months of:

(a) the submission of an incident report under Condition C10;
(b) the submission of an Independent Audit under Condition C17;
(c) the approval of any modification of the conditions of this consent; or
(d) the issue of a direction of the Planning Secretary under Condition A3(b) which requires a review,
the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.

Construction
Review application of triggers for review of strategies, plans and programs.
Review incident reports and incident register.
Review complaints register.
Confirm notifications sent to Department on any non-compliances with seven days.

A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

Within 7 days of any non-compliance
Confirm implementation of the approved CEMP and/or OEMP that includes incident and non-compliance reporting protocols.
Review incident reports and incident register.
Review complaints register.
Confirm notifications sent to Department on any non-compliances with seven days.

Non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Within 7 days of any non-compliance
Confirm implementation of the approved CEMP and/or OEMP that includes incident and non-compliance reporting protocols.
Review incident reports and incident register.
Review complaints register.
Confirm notifications sent to Department on any non-compliances with seven days.

A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

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

A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

At all times
For reference
<table>
<thead>
<tr>
<th>Compliance Reporting</th>
<th>Com fiance Reporting Post Approval Requirements (Department 2018)</th>
<th>Compliance Monitoring &amp; Reporting Program, prepared by Tactical Group (Revision D, dated 15 January 2020) was submitted to DPIE for information on 20 January 2020.</th>
<th>C14</th>
</tr>
</thead>
<tbody>
<tr>
<td>No later than six weeks before the date notified for the commencement of construction and operation, a Construction Compliance Monitoring and Reporting Program and Operational Compliance Monitoring and Reporting Program respectively, prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.</td>
<td>Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).</td>
<td>The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.</td>
<td>6 weeks prior to construction</td>
</tr>
<tr>
<td>Confirm submission of a Construction Compliance Monitoring and Reporting Program (CCMRP) and Operational Compliance Monitoring and Reporting Program (OCMRP) prepared in accordance with the Compliance Reporting Post Approval Requirements (CRPAR) to the Department and the Certifier.</td>
<td>Confirm timing of submission is no later than 6 weeks before the notified date for the commencement of construction.</td>
<td>Confirm OCMRP makes provision for the preparation of compliance reports in accordance with the CRPAR.</td>
<td>6 weeks prior to construction</td>
</tr>
<tr>
<td>Confirm OCMRP makes provision for the preparation of compliance reports in accordance with the CRPAR.</td>
<td>Confirm Compliance Reports are made publicly available 60 days after submission to the Department.</td>
<td>Confirm notification to the Department and the Certifier has been provided in writing at least 7 days prior to making the respective Compliance Report publicly available.</td>
<td>6 weeks prior to construction</td>
</tr>
<tr>
<td>The Moorebank Park West Stage 2 - SSD 7709 Independent Audit Program (IAP), prepared by Wolfpeak (Revision 0, dated 9 August 2019) was submitted to DPIE for information on 9 December 2019.</td>
<td>The IAP was submitted to the Certifying Authority on 6 February 2020.</td>
<td>C15</td>
<td></td>
</tr>
<tr>
<td>Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.</td>
<td>For reference</td>
<td>C16</td>
<td></td>
</tr>
<tr>
<td>No later one month before the date notified for the commencement of construction and operation, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.</td>
<td>Confirm submission of the Independent Audit Program (IAP) prepared in accordance with the Independent Audit Post Approval Requirements (IAPAR) to the Department and the Certifier.</td>
<td>Confirm timing of submission is no later than 1 month before the notified date for the commencement of construction and operation.</td>
<td>1 month before construction and operations commence</td>
</tr>
<tr>
<td>Construction and operation</td>
<td>The Moorebank Park West Stage 2 - SSD 7709 Independent Audit Program (IAP), prepared by Wolfpeak (Revision 0, dated 9 August 2019) was submitted to DPIE for information on 9 December 2019.</td>
<td>C17</td>
<td></td>
</tr>
<tr>
<td>Independent Audits of the development must be carried out in accordance with:</td>
<td>Confirm Independent Audits are carried out in accordance with the IAP and the IAPAR.</td>
<td>C18</td>
<td></td>
</tr>
<tr>
<td>(a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C16 of this consent; and</td>
<td>Confirm there is a review and response to each Independent Audit.</td>
<td>In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:</td>
<td>Construction and operation</td>
</tr>
<tr>
<td>(b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).</td>
<td>Confirm submission of the response to the Department and the Certifier.</td>
<td>(a) review and respond to each Independent Audit Report prepared under Condition C17 of this consent;</td>
<td>Construction and operation</td>
</tr>
<tr>
<td>(b) submit the response to the Department and the Certifying Authority; and</td>
<td>Confirm each Independent Audit is made publicly available within 60 days after submission to the Department.</td>
<td>(c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.</td>
<td>Construction and operation</td>
</tr>
<tr>
<td>(c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.</td>
<td>Confirm notification has been provided to the Department and the Certifier in writing once Independent Audits have been made publicly available.</td>
<td>C19</td>
<td></td>
</tr>
<tr>
<td>Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.</td>
<td>For reference</td>
<td>Independent Environmental Audit</td>
<td></td>
</tr>
<tr>
<td>Monitoring and Environmental Audits</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### ACCESS TO INFORMATION

#### Condition 20

Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.A of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing. Note: For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.

#### Condition 21

At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must:

(a) make the following information and documents (as they are obtained or approved) publicly available on its website:

(i) the documents referred to in Condition A3 of this consent and the final, approved revised Development Layout Drawings, Stormwater Design Drawings, Landscape Drawings and Architectural Drawings for the development;

(ii) all current statutory approvals for the development;

(iii) all approved strategies, plans and programs required under the conditions of this consent;

(iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;

(v) minutes of CCC meetings;

(vi) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;

(vii) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;

(viii) a summary of the current stage and progress of the development;

(ix) contact details to enquire about the development or to make a complaint;

(x) complaints register, updated monthly;

(xi) the Compliance Reporting of the development;

(xii) audit reports prepared as part of any Independent Audit of the development and the Applicant’s response to the recommendations in any audit report;

(xiii) any other matter required by the Planning Secretary;

(b) keep such information up to date, to the satisfaction of the Planning Secretary.

At all times

For reference

| At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must: At least 48 hours prior to construction | Review of public website for currency of approvals, documentation, strategies and plans, reports, monitoring results, staging summary, contact details, complaints register, audit reports, response to audit recommendations, other matters required by the Secretary. Review of directions provided by the Secretary in respect of “other matters”. Consultation with the DP&E in respect of agency satisfaction regarding currency of the information published. The relevant and current information, as specified in this condition is available on the SIMTA website (www.simta.com.au). | At all times | For reference |