

INDEPENDENT AUDIT REPORT

MOOREBANK INTERMODAL PRECINCT WEST STAGE 2
– SSD 7709

APRIL 2021

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EXECUTIVE SUMMARY

Moorebank Precinct West (MPW) is part of the broader Moorebank Intermodal Terminal development (now referred to as the Moorebank Logistics Park or MLP). The development involves the construction and operation of intermodal freight terminal facilities at Moorebank in south-west Sydney, linked to Port Botany and the interstate rail network. The Sydney Intermodal Terminal Alliance (SIMTA), a wholly owned subsidiary of Qube Holdings, is the responsible body for developing and operating the MLP across both the Commonwealth and SIMTA-owned land at Moorebank.

MPW is a staged development, requiring a number of development consents over its duration. State Significant Development (SSD) Consent for MPW Stage 2 (the Project) was granted by the Independent Planning Commission under Section 4.38 of the EP&A Act on 11 November 2019 (SSD 7709). The Project comprises:

- Construction and 24/7 operation of an intermodal terminal (IMT) facility to support a container freight throughput volume of 500,000 twenty-foot equivalent units (TEUs) per annum
- Construction and 24/7 operation of a warehousing estate on the northern part of the site servicing the IMT facility
- Intersection upgrades on Moorebank Avenue
- Construction and operation of on-site detention basins, bioretention/ biofiltration systems and trunk stormwater drainage for the entire site
- Construction works and temporary ancillary facilities.

SSD 7709 has been modified on one occasion (MOD-1), which relates to design and operational changes to the Project.

SIMTA has engaged a number of parties to help deliver the Project including (but not limited to) Project Managers Tactical, J. Wyndham Prince, Aspect Environmental and Caras, each of whom manage contractors and consultants responsible for construction, transport / haulage, waste and technical support etc. Georgiou is the principal construction contractor on the Project. BMD are the principal contractor for works adjacent to Moorebank Avenue. Resource Co are the material haulage contractor.

It is understood the actual date of commencement of works was 2 March 2020 and the actual date of commencement of construction was 1 December 2020. Works conducted between 2 March and 1 December 2020 include investigations and heritage salvage works. Works undertaken since 1 December 2020 include with vegetation clearing, handling and treatment of contaminated material, management of unexpected finds, consolidation of stockpiles and import of fill.

Conditions of Consent (CoC) C16 – C19 of Schedule 2 of SSD 7709 set out the requirements for undertaking Independent Audits. The CoCs give effect to the 2018 version of the Department of Planning, Industry and Environment (the Department) document entitled *Independent Audit Guideline Post Approval Requirements* (IAPAR).

The objective of this Independent Audit is to satisfy SSD 7709 Schedule 2, CoC C17, which states:

Independent Audits of the development must be carried out in accordance with:

(a) the Independent Audit Program submitted to the Planning Secretary and the Certifier under condition C16 of this consent; and

(b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).

The Independent Audit Program was prepared in accordance with CoC C16 and IAPAR and submitted to the Department and the Certifying Authority. It establishes the timing of the Independent Audits. The IAPAR sets out the scope, methodology and reporting requirements for each Independent Audit.

This Audit Report presents the findings from the first Independent Audit under the Independent Audit Program covering the period from the granting of consent (11 November 2019) and March 2021. The Independent Audit was completed to fulfill the requirements of CoC C17 and to verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project.

The overall outcome of the Independent Audit was positive. All compliance records were organised and available at the time of the site inspection and interviews with Project personnel representing SIMTA. Relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements.

Detailed findings are presented in Section 3, along with actions to address each of the findings. The findings are summarized as follows:

- There were 291 CoCs assessed.
- Six non-compliances were identified against the CoCs. These relate to submission of the ER Monthly Reports, payment of a levy to Liverpool City Council, the size and structure of stockpiles, the granting of approval from TfNSW on Moorebank Avenue road design, the notification of publication of the Pre-Construction Compliance report and content on the website.
- Seven observations were identified in relation to the CoCs and two observations identified in relation to the CEMP and CFFMP. These relate to the tracking and volume of imported fill to the site, payment of contributions to TfNSW, addressing actions identified by the Certified Professional in Erosion and Sediment Control (CPESC), stormwater design, road design and fauna movements, findings from the Road Safety Audit, content of the Driver Code of Conduct, training as described in the CEMP, and the installation of no go flagging.

The Auditor would like to thank the auditees from Tactical, J. Wyndham Prince, Aspect Environmental, Caras, Georgiou and BMD (all representing SIMTA) for their high level of organisation, cooperation and assistance during the Independent Audit.

1. INTRODUCTION

1.1 Project overview

The Moorebank Precinct West (MPW) is part of the broader Moorebank Intermodal Terminal development (now referred to as the Moorebank Logistics Park or MLP). The development involves the construction and operation of intermodal freight terminal facilities at Moorebank in south-west Sydney, linked to Port Botany and the interstate rail network. The Sydney Intermodal Terminal Alliance (SIMTA), a wholly owned subsidiary of Qube Holdings, is the responsible body for developing and operating the MLP across both the Commonwealth and SIMTA-owned land at Moorebank.

MPW is situated on the western side of Moorebank Avenue adjacent to the Southern Sydney Freight Line, within the Liverpool City Council Local Government Area, approximately 27 kilometres south-west of the Sydney Central Business District. An overview of the Moorebank Intermodal Terminal development and MPW is presented in Figure 1.

MPW is a staged development, requiring a number of development consents over its duration. The Concept Proposal and Early Works (Stage 1), State significant development (SSD) 5066, was granted consent under section 89E of the Environmental Planning and Assessment Act 1979 (EP&A Act) on 3 June 2016.

Consent for MPW Stage 2 (the Project) was granted by the Independent Planning Commission (IPC) under Section 4.38 of the EP&A Act on 11 November 2019 (SSD 7709). The Project comprises:

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

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

- Construction and 24/7 operation of a warehousing estate on the northern part of the site servicing the IMT facility and including:

- six warehouses with a total gross floor area (GFA) 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.
- Intersection upgrades on Moorebank Avenue at:
 - Anzac Road providing site access
 - Bapaume Road for left turn only out of the site
- Construction and operation of on-site detention basins, bioretention/ biofiltration systems and trunk stormwater drainage for the entire site.
- Construction works and temporary ancillary facilities, including:
 - vegetation clearing, top soil 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 3 m
 - materials screening, crushing and washing facilities importation and placement of engineering fill and rail line ballast
 - installation and use of a concrete batching plant
 - utilities installation/ connection

The Project has been modified on one occasion (MOD-1). MOD-1 was approved on 24 December 2020 and relates to design and operational changes to the Project, namely:

- adjustment to the southern boundary of the MPW Stage 2 site
- increase to maximum building height across warehouses 5 and 6 from approximately 21 m up to and including 45 m
- rearrangement of warehousing
- increases to operational noise criteria
- allowance for storage of Dangerous Goods on-site at warehouses 5 and 6.

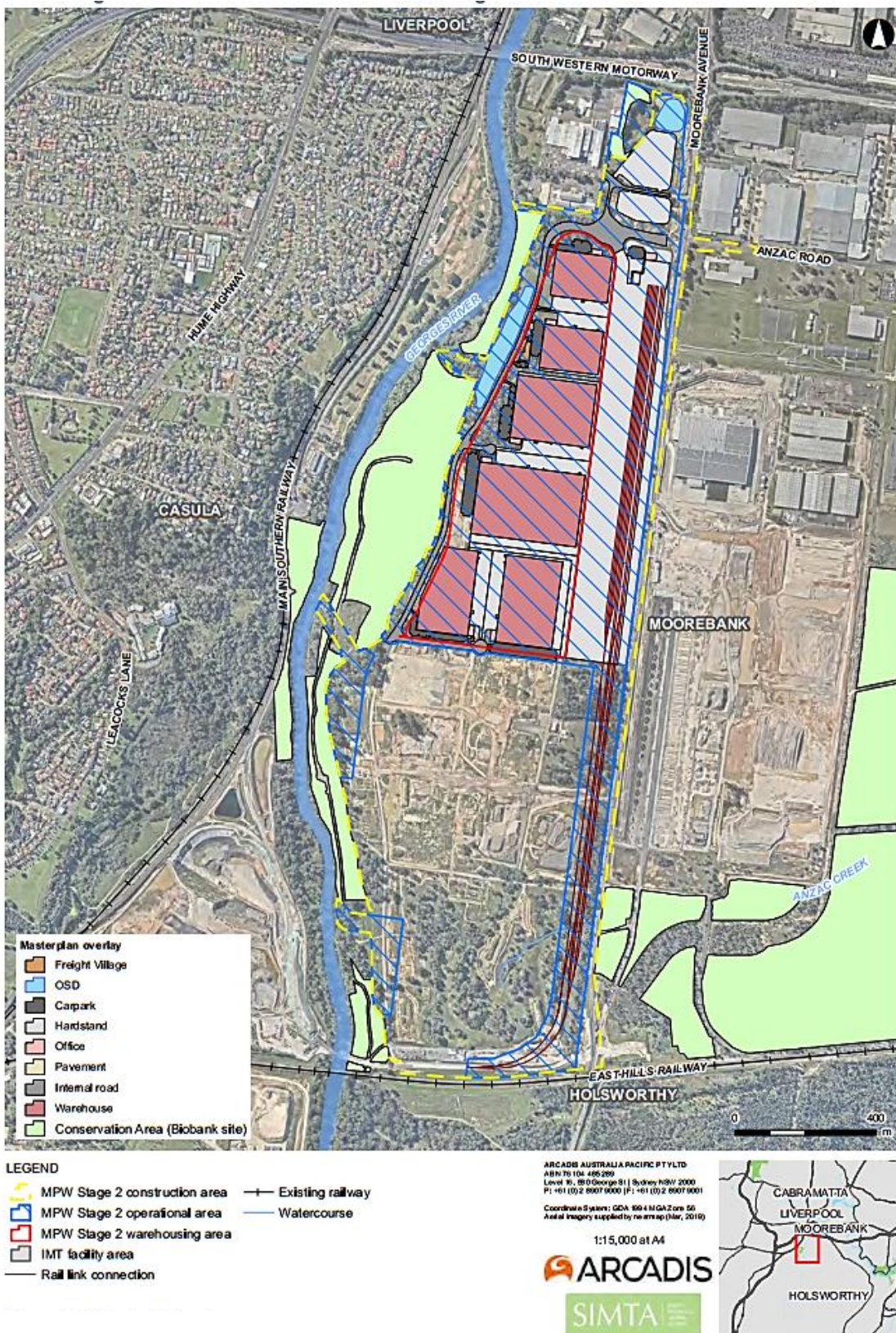


Figure 1: The Project (Source: Construction Environmental Management Plan, Moorebank Precinct West Stage 2, SIMTA, 14 January 2020)

SIMTA has engaged a number of parties to help deliver the Project including (but not limited to) Project Managers Tactical, J. Wyndham Prince, Aspect Environmental and Caras, each of whom manage contractors and consultants responsible for construction, transport / haulage, waste and technical support etc. Georgiou is the principal construction contractor on the Project. BMD are the principal contractor for works adjacent to Moorebank Avenue. Resource Co are the material haulage contractor. Within this Audit Report, these parties may be referred to as SIMTA or the auditee/s.

Notification of commencement of works and construction was provided to the Department on 10 February 2020. The notified dates of commencement (subject to the necessary approvals being obtained) were:

- 25 February 2020 for any work, vegetation clearing required to conduct remediation, remediation and low impact works
- 28 February 2020 for construction.

It is understood the actual date of commencement of works was 2 March 2020 and the actual date of commencement of construction was 1 December 2020. Works conducted between 2 March and 1 December 2020 include investigations and heritage salvage works. Works undertaken since 1 December 2020 include with vegetation clearing, handling and treatment of contaminated material, management of unexpected finds, consolidation of stockpiles and import of fill.

The Auditor notes that during the audit period the following works were observed on land that either partially or entirely overlapped with land defined under SSD 7709:

- remedial earthworks establishing the PFAS separation layer and management of unexpected finds, utility identification and removal / adjustment, vegetation removal and housekeeping under MPW Stage 1 (SSD 5066), and
- redevelopment of the east-west channel and Moorebank Avenue Upgrade Works (MAUW) under MPE Stage 2 (SSD 7628) including vegetation removal, removal of unexpected finds; and removal of uncovered residual utilities and services.

1.2 Approval requirements

Conditions of Consent (CoC) C16 – C19 of Schedule 2 of SSD 7709 set out the requirements for undertaking Independent Audits. The CoCs give effect to the 2018 version of the Department of Planning, Industry and Environment (the Department) document entitled *Independent Audit Guideline Post Approval Requirements (IAPAR)*.

1.3 The audit team

In accordance with Section 3.1 of the IAPAR, Independent Auditors must be suitably qualified, experienced, and independent of the Project, and appointed by the Planning Secretary.

The Audit Team comprises:

- Derek Low (Auditor Lead): Master of Environmental Engineering Management, Exemplar Global Certified Principal Environmental Auditor (Certificate No 114283)
- Steve Fermio (Auditor): Bachelor of Science (Hons), Exemplar Global Certified Principal Environmental Auditor (Certificate No 110498).

Approval of the Audit Team was provided by the Department on 17 April 2020. The letter is presented in Appendix C.

1.4 The audit objectives

The objective of this Independent Audit is to satisfy SSD 7709 Schedule 2, CoC C17. CoC C17 states:

Independent Audits of the development must be carried out in accordance with:

(a) the Independent Audit Program submitted to the Planning Secretary and the Certifier under condition C16 of this consent; and

(b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).

The Independent Audit Program was prepared in accordance with CoC C16 and IAPAR and submitted to the Department and the Certifying Authority. The IAPAR sets out the scope, methodology and reporting requirements for Independent Audit.

This Independent Audit seeks to fulfill the requirements of CoC C17, verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project.

1.5 Audit scope

This Independent Audit relates to the Project works between the granting of consent (11 November 2019) and March 2021.

The scope of the Independent Audit comprises:

- an assessment of compliance with:
 - all conditions of consent applicable to the phase of the development that is being audited
 - all post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans; and
 - all environmental licences and approvals applicable to the development excluding environment protection licences issued under the Protection of the Environment Operations Act 1997.
- a review of the environmental performance of the development, including but not necessarily limited to, an assessment of:
 - actual impacts compared to predicted impacts documented in the environmental impact assessment
 - the physical extent of the development in comparison with the approved boundary

- incidents, non-compliances and complaints that occurred or were made during the audit period
- the performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit; and
- feedback received from the Department, and other agencies and stakeholders, including the community or Community Consultative Committee, on the environmental performance of the project during the audit period
- a review of the status of implementation of previous Independent Audit findings, recommendations and actions (if any)
- a high-level review of the project's environmental management systems
- a high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and
- any other matters considered relevant by the auditor or the Department, taking into account relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.

2. AUDIT METHODOLOGY

2.1 Audit process

The Independent Audit was conducted in a manner consistent with AS/NZS ISO 19011.2019 – Guidelines for Auditing Management Systems and the methodology set out in the Department’s IAPAR. An overview of the audit activities, as specified in AS/NZS ISO 19011, is presented in Figure 2.

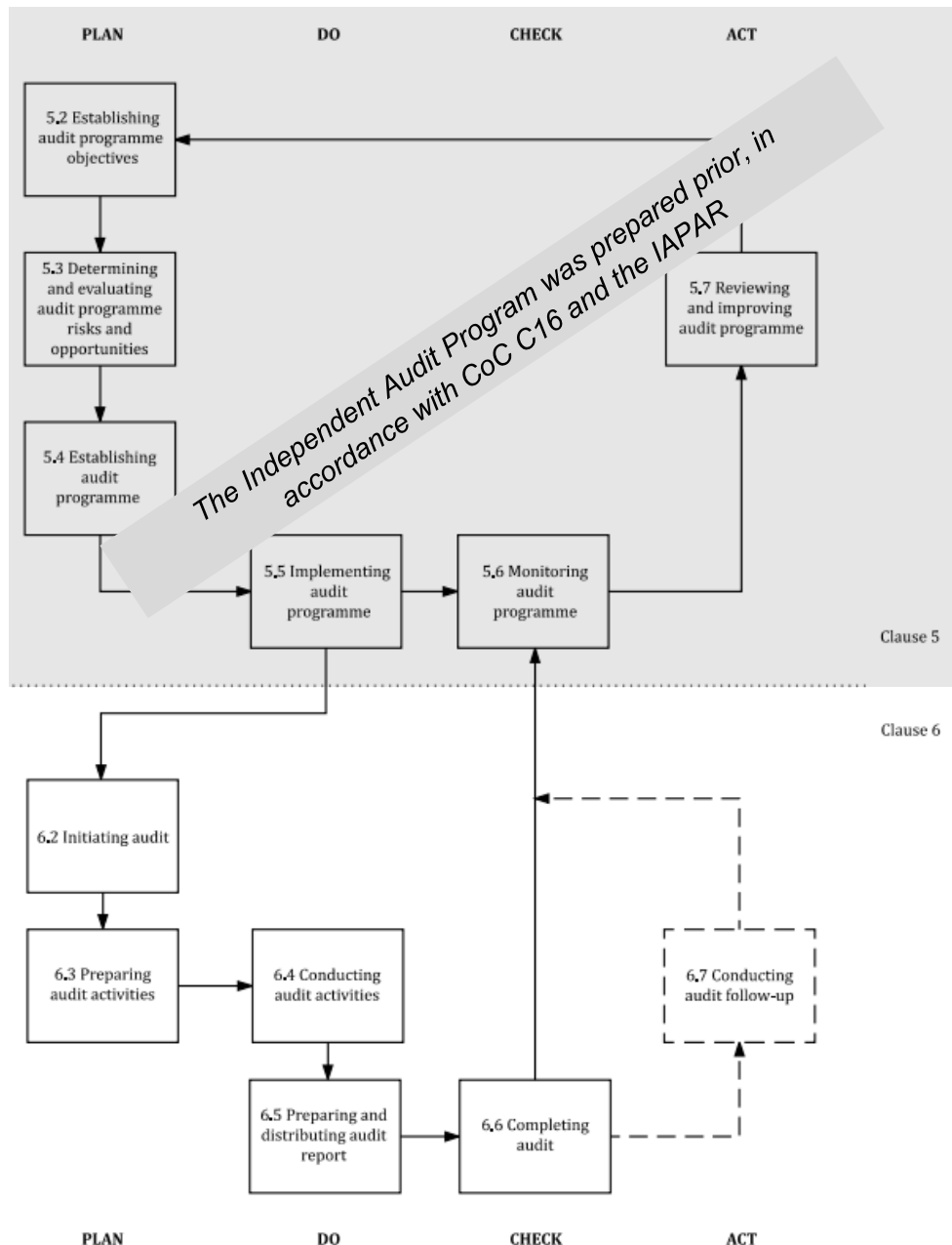


Figure 2 Audit activities overview (modified from AS/NZS ISO 19011). Subclause numbering refers to the relevant subclauses in the Standard.

2.2 Audit process detail

2.2.1 Audit initiation and scope development

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

- Establish initial contact with the Auditee.
- Confirm the audit team.
- Confirm the audit purpose, scope and criteria.

On 2 March 2021 WolfPeak consulted with the Department, the NSW Environment Protection Authority (EPA) and Liverpool City Council to obtain their input into the scope of the Independent Audit in accordance with Section 3.2 of the IAPAR. The consultation records are presented in Appendix D. A summary of the key issues and areas of focus raised by the stakeholders is presented in Table 1.

Table 1 Key issues and areas of focus raised during consultation

Stakeholder	Issues and Focus	How Addressed
Department of Planning, Industry and Environment	<p>The Department requested that the Independent Audit be conducted in accordance with the IAPAR and that it examine:</p> <ol style="list-style-type: none"> 1. Out of Hour Works (OOHW) protocols to ensure that they have been adequately implemented 2. Construction Noise and Vibration Management Plan (CNVMP) requirements re acoustic testing of equipment used on site prior to implementing / use; and 3. Include any feedback the ER may have should you wish to consult with him. 	<ol style="list-style-type: none"> 1. Refer to findings in relation to CoC B125 and B127, within Appendix A. 2. Refer to findings in relation to Section 5.1.1 of the CNVMP, within Appendix B. 3. The Auditor has engaged with the ER on Independent Audits conducted under SSD 5066 and has reviewed the Monthly ER Reports. The Auditor has elected to not consult with the ER on the scope of this Independent Audit.
NSW EPA	No response	-
Liverpool City Council	No response	-

2.2.2 Preparing audit activities

The Auditor performed a document review, prepared an audit plan, and prepared work documents (audit checklists) and distributed to the Project team in preparation for the Independent Audit.

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

- *Moorebank Precinct West - Stage 2 Proposal Environmental Impact Statement – (SSD16-7709), Arcadis, October 2016 (the EIS)*
- *Moorebank Precinct West - Stage 2 Proposal Response to Submissions – SSD 16_7709, Arcadis, July 2017 (and clarifications) (the RtS)*
- *Development Consent SSD 7709, 11 November 2019 (the Consent)*
- *Modification Application Planning Report Section 4.55(2) Modification to SSD 7709 – Proposed Moorebank Intermodal Precinct West – Stage 2, Willow Tree Consulting, July 2020 (MOD-1)*
- *Construction Environmental Management Plan Moorebank Precinct West Stage 2, SIMTA, 14 January 2020 (the CEMP)*
- *Construction Soil and Water Management Plan SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev 10 (the CSWMP)*
- *Construction Traffic and Access Management Plan Moorebank Precinct West Stage 2, SIMTA, 25 March 2020 (the CTAMP)*
- *Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan, Renzo Tonin, 29 January 2020 (the CNVMP)*
- *Construction Flora and Fauna Management Plan Moorebank Precinct West Stage 2, SIMTA, 10 March 2020 (the CFFMP)*
- *Contamination Management Plan Moorebank Precinct West, EP Risk, 30 July 2020 (the CMP)*
- *Acid Sulfate Soil Management Plan Moorebank Precinct West Site, 400 Moorebank Avenue, Moorebank NSW, EP Risk, 30 January 2020 (the CASSMP).*

2.2.3 Site personnel involvement

The on-site audit activities took place on 9 March 2021. The following personnel took part in the audit:

- Richard Johnson, Director, Aspect Environmental (representing SIMTA)
- Mat Williams, Environmental Scientist, Aspect Environmental (representing SIMTA)
- Daryle McKone, Environmental Site Representative, Aspect Environmental (representing SIMTA)
- Jared Sisay, Project Manager, J Wyndham Prince (representing SIMTA)
- Fei Chen, Project Coordinator, Tactical (representing SIMTA)
- William Carter, Environment Manager, Georgiou (construction contractor)
- Tim Davis, Environmental Manager, BMD Constructions (construction contractor)
- Derek Low – Auditor – WolfPeak.

2.2.4 Meetings

Opening and closing meetings were held with the Auditor and Project personnel. The attendance sheet can be found in Appendix E.

During the opening meeting the objectives and scope of the Independent Audit, the resources required and methodology to be applied were discussed. At the closing meeting, preliminary audit findings were presented, preliminary recommendations (as appropriate) were made, and any post-audit actions were confirmed.

2.2.5 Interviews

The Auditor conducted interviews during the site inspection with key personnel involved in Project delivery, including those with responsibility for environmental management, to assist with verifying the compliance status of the development. All other communication was conducted remotely, which included detailed request for information and auditee responses to the request. Interviews were conducted on 17 and 19 March 2021.

2.2.6 Site inspection

The on-site audit activities took place on 17 March 2021. The on-site audit activities included an inspection of the site and work activities. Photos are presented in Appendix F.

2.2.7 Document review

The Independent Audit included investigation and review of Project files, records and documentation that acts as evidence of compliance (or otherwise) with a compliance requirement. The documents sighted are included within Appendices A and B.

2.2.8 Generating audit findings

Independent Audit findings were based on verifiable evidence. The evidence included:

- relevant records, documents and reports
- interviews of relevant site personnel
- photographs
- figures and plans; and
- site inspections of relevant locations, activities and processes.

2.2.9 Compliance evaluation

The Auditor determined the compliance status of each compliance requirement in the Audit Table, using the descriptors from Table 2 of the IAPAR, being:

- **Compliant** – The Auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
- **Non-compliant** – The Auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
- **Not triggered** – A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

Observations and notes may also be made to provide context, identify opportunities for improvement or highlight positive initiatives.

2.2.10 Evaluation of post approval documentation

The Auditor assessed whether post approval documents:

- have been developed in accordance with the CoCs and all other environmental licences and approvals applicable to the Project (if any) and their content is adequate.
- have been implemented in accordance with the CoCs and all other environmental licences and approvals applicable to the Project (if any).

The adequacy of post approval documents was determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document.
- whether there are any opportunities for improvement.

2.2.11 Completing the audit

The Independent Audit Report was distributed to the proponent to check factual matters and for input into actions in response to findings (where relevant). The Auditor retained the right to make findings or recommendations based on the facts presented.

3. AUDIT FINDINGS

3.1 Approvals and documents audited and evidence sighted

The documents audited comprised all the conditions from Schedule 2 of SSD 7709 applicable to the works being undertaken, and selected mitigation measures and commitments from the following plans:

- CEMP
- CSWMP
- CASSMP
- CTAMP
- CNVMSP
- CFFMP.

The evidence sighted against each requirement is detailed within Appendices A and Appendix B.

3.2 Non-compliance, Observations and Actions

This Section, including Table 2, presents the non-compliances and observations from the Independent Audit. Actions in response to each of the findings are also presented. Detailed findings against each requirement are presented in Appendix A and B.

- There were 291 CoCs assessed.
- Six non-compliances were identified against the CoCs. These relate to submission of the ER Monthly Reports, payment of a levy to Liverpool City Council, the size and structure of stockpiles, the granting of approval from TfNSW on Moorebank Avenue road design, the notification of publication of the Pre-Construction Compliance report and content on the website.
- Seven observations were identified in relation to the CoCs and two observations identified in relation to the CEMP and CFFMP. These relate to the tracking and volume of imported fill to the site, payment of contributions to TfNSW, addressing actions identified by the Certified Professional in Erosion and Sediment Control (CPESC), stormwater design, road design and fauna movements, findings from the Road Safety Audit, content of the Driver Code of Conduct, training as described in the CEMP, and the installation of no go flagging.

Table 2 Audit findings and actions

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
Findings from the March 2021 Independent Audit						
1	CoC A7	Observation	<p>CoC A7 requires that only VENM, ENM, or other imported fill material approved in writing by EPA is to be placed on the site.</p> <p>The Auditor interviewed the weighbridge operators and auditees and asked how they determine whether the material being imported is the same material as that covered by the material classification report (and that approved by the Project to be imported to site). The auditees advised:</p> <ul style="list-style-type: none"> - the Project has no relationship with the material consigner. Material import bookings are done with the transport company only. - The Project undertake a visual inspection at the weighbridge and unloading point to confirm that the material looks consistent with the approved material (e.g.: sandstone, shale etc). - Trucks are fitted with GPS enabling the Project to assess the route travelled and stops made. Records were provided. - Periodic audits of trucks (i.e.: tailing of truck from the source to the Project) to verify the proper supply of material was not happening at any set or regular frequency. It is understood from the interview that the last tail was completed in December 2020, however records provided were from 2018. It is unclear how many tails have occurred during the audit period. <p>A request was made for the auditee to provide any procedures that they implement to provide certainty that the material received is in</p>	<p>It is noted that the Import Procedure does not include a set time frequency for trailing trucks, however CARAS have agreed to update the procedure to include a truck tailing audit on a monthly basis going forward.</p> <p>CARAS also requests GPS information on trucks as part of their Chain of Responsibility audits or when a truck appears to have been hauling an extra load. CARAS will update the procedure to include a fortnightly audit on three randomly selected</p>	<p>CARAS</p> <p>Prior to next audit</p>	<p>OPEN</p>

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			<p>fact the material requested (and approved). A procedure was referred to by the auditee but this was not provided to the Auditor.</p> <p>It is the Auditors opinion that there is an opportunity for the transport company to import material from sources other than that approved by the consumer (i.e.: the Project) without the Project's knowledge.</p>	trucks within the period to review their GPS reports.		
2	CoC A37	Non-compliance	<p>CoC A37 requires that 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:</p> <p>j) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Department's Environmental Representative Protocol (2018) under the heading "Environmental Representative Monthly Reports." The Environmental Representative Monthly Report must be submitted within seven calendar days following the end of each month for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary.</p> <p>The ER Monthly Reports were submitted after 7 calendar days in May 2020 (14/05/20), Sep 2020 (09/09/20) without approval from the Department to do so.</p>	The ER Monthly Reports were submitted. Other instances were either on time or approved to be submitted after 7 days.	NA	CLOSED
3	CoC A57	Non-compliance	<p>CoC A57 requires that prior to the issue of a Construction Certificate for any part of the development, the Applicant must pay a monetary levy of 1% of the development Capital Investment Value (\$5,330,000) or other amount agreed to by Liverpool City Council for transport, drainage, community facilities, administration and professional and legal fees pursuant to section 7.13(2) of the EP&A Act.</p>	Retrieve evidence of payment or complete payment to Liverpool City Council.	SIMTA Prior to next audit, or prior to the issue of the next Construction	OPEN

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			<p>There is no evidence available to demonstrate the payment of the levy prior to issue of the three Construction Certificates obtained to date.</p>		Certificate (whichever is sooner)	
4	CoC A58	Observation	<p>CoC A58 requires that 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).</p> <p>The auditees advise that there have yet to be any works in kind completed to date. However, a Voluntary Planning Agreement has been entered into, and there is no evidence of monetary contributions being made.</p>	Complete payment of contributions to RMS (TfNSW).	<p>SIMTA</p> <p>Within the timeframe specified by the Voluntary Planning Agreement</p>	OPEN
5	CoC B32	Observation	<p>CoC B32 requires that the CPESC must undertake monthly inspections during construction, report on implementation of the SWMP and recommend any improvements to the SWMP and site control measures. The CPESC's report must be provided to the Planning Secretary monthly for the duration of construction or another time period as agreed by the Planning Secretary.</p> <p>The CPESC Reports identify areas of improvement, however there is no evidence to show in subsequent reports on how these are addressed. Additionally some dates do not appear to be updated for each report.</p>	<p>Update the CPESC Reports to clearly show how areas of improvement have been addressed prior to removing them from subsequent reports.</p> <p>Include correct dates within the CRPESC Reports.</p>	<p>CPESC (ErSed), Georgiou, BMD</p> <p>31/05/21</p>	OPEN

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status											
6	CoC B43	Non-compliance	<p>CoC B43 requires that stockpiles must:</p> <ul style="list-style-type: none"> a) not exceed 10 m in height; b) be benched over 4 m in height; c) have maximum of 1V:3H slopes; and d) be stabilised if not worked on for more than 10 days. <p>Stockpiles were observed that were greater than 10m high and not benched at 4 metres.</p>	This non-compliance was reported by the Project under CoC C11. The report set out a process to manage stockpiles going forward. It is understood that the Department had not yet responded.	NA	CLOSED											
7	CoC B84	Non-compliance	<p>CoC B84 requires that the Applicant undertake the following road infrastructure upgrades, in accordance with the specified timing requirements as set out in Table 1.</p> <table border="1" data-bbox="618 906 1328 1107"> <thead> <tr> <th rowspan="2">Upgrade</th> <th colspan="3">Specified Timing Requirements</th> </tr> <tr> <th>Upgrade requirements</th> <th>Required timing for 100% design approval by RMS</th> <th>Required timing for completion of upgrade</th> </tr> </thead> <tbody> <tr> <td>Moorebank Avenue and Anzac Road intersection upgrades, road widening and road upgrade works, and associated civil works</td> <td>Indicative layout plans (RIUW-ARC-CV-SKC-2003-P1 and RIUW-ARC-CV-SKC-1005-P2) included in Appendix 1, subject to design development and approval by RMS, and incorporating a bicycle/ pedestrian share path</td> <td>To be obtained within 12 months of the date of this consent, or prior to the issue of the first Occupation Certificate for warehousing, whichever is the sooner.</td> <td>Prior to issue of an Occupation Certificate for warehousing in excess of 100,000 m² of gross floor area</td> </tr> </tbody> </table> <p>The design has been submitted to TfNSW and they have requested additional information. As such the 100% design has not been approved within 12 months of the date of consent.</p>	Upgrade	Specified Timing Requirements			Upgrade requirements	Required timing for 100% design approval by RMS	Required timing for completion of upgrade	Moorebank Avenue and Anzac Road intersection upgrades, road widening and road upgrade works, and associated civil works	Indicative layout plans (RIUW-ARC-CV-SKC-2003-P1 and RIUW-ARC-CV-SKC-1005-P2) included in Appendix 1, subject to design development and approval by RMS, and incorporating a bicycle/ pedestrian share path	To be obtained within 12 months of the date of this consent, or prior to the issue of the first Occupation Certificate for warehousing, whichever is the sooner.	Prior to issue of an Occupation Certificate for warehousing in excess of 100,000 m ² of gross floor area	Obtain approval from TfNSW on the 100% design.	SIMTA As soon as practicable	OPEN
Upgrade	Specified Timing Requirements																
	Upgrade requirements	Required timing for 100% design approval by RMS	Required timing for completion of upgrade														
Moorebank Avenue and Anzac Road intersection upgrades, road widening and road upgrade works, and associated civil works	Indicative layout plans (RIUW-ARC-CV-SKC-2003-P1 and RIUW-ARC-CV-SKC-1005-P2) included in Appendix 1, subject to design development and approval by RMS, and incorporating a bicycle/ pedestrian share path	To be obtained within 12 months of the date of this consent, or prior to the issue of the first Occupation Certificate for warehousing, whichever is the sooner.	Prior to issue of an Occupation Certificate for warehousing in excess of 100,000 m ² of gross floor area														

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
8	CoC B87	Observation	<p>CoC B87 requires that existing and future utility and service infrastructure must be located outside the roadway being upgraded. The Applicant is to locate any drainage infrastructure to support the Stage 2 development entirely within the development site and not within the roadway, unless agreed by RMS.</p> <p>The Department approved revised Development Layout Drawings under CoC B2 on 29/05/20. The CoC B2 plans demonstrate that these services are <i>within</i> the verge. This information is also within the CoC B84 design that is being assessed by TfNSW. This assessment is ongoing. There is no timing on this requirement on this requirement and design is not complete.</p>	Obtain approval from TfNSW on the 100% design.	SIMTA As soon as practicable	OPEN
9	CoC B88	Observation	<p>CoC B88 requires that road design must incorporate structures for fauna movement between the Georges River riparian corridor and the Boot Land, either under or below the road.</p> <p>The approved Koala Management Plan (prepared under CoC B152) identifies only a north-south movement of fauna (not east-west between the Georges River riparian corridor and the Boot Land as identified by this condition). At this stage the design of the roadways do not incorporate east-west movement of fauna between the Georges River riparian corridor and the Boot Land as required by this condition. Road design is ongoing.</p>	Amend road design to incorporate structures for fauna movement between the Georges River riparian corridor and the Boot Land.	SIMTA Prior to construction of the relevant portions of the road	OPEN
10	CoC B112	Observation	CoC B112 requires that the Applicant must recommend corrective actions for the identified safety issues and propose appropriate traffic management measures outlined in the Road Safety Audit (i.e. temporary traffic signals and other traffic management measures) in consultation and with the approval of the relevant road authority. Details on the proposed traffic	None required	NA	CLOSED

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			<p>management measures must be submitted to the Planning Secretary, TfNSW and RMS.</p> <p>The Road Safety Audit (RSA) was completed in accordance with CoC B111 and assesses heavy vehicle movements, vehicle swept paths and for motorists and construction vehicle movements.</p> <p>The RSA identified a finding in relation to light signal phasing for pedestrian movements at Chatham Ave. The Auditor notes that the footpath along Moorebank Avenue terminates to the north and south of the site and as such there is no opportunity for pedestrians to access the Chatham Avenue intersection. There were no actions in relation to heavy vehicle movements, vehicle swept paths and for motorists and construction vehicle movements.</p> <p>The RSA was submitted to the Department. There is no evidence available to demonstrate that the RSA (or the proposed traffic management measures – to which none were identified in the RSA) were submitted to TfNSW.</p>			
11	CoC B124	Observation	<p>CoC B124 requires that the Applicant must prepare and submit a Driver Code of Conduct to the Secretary which includes the following measures to minimise impacts:</p> <ul style="list-style-type: none"> 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; 	None required	NA	CLOSED

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			<p>e) compliance with site speed limits;</p> <p>f) limiting the need for reversing on site; and</p> <p>g) consideration of the use of non-tonal movement alarms in place of reversing beepers or alternatives such as reversing cameras and proximity alarms, or a combination of these, where tonal alarms are not mandated by legislation.</p> <p>The Code of Conduct, part of the approved CTAMP, identifies extended hours for deliveries beyond the approved construction hours.</p>			
12	CoC C14	Non-compliance	<p>CoC C14 requires that (among other things) the Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.</p> <p>There is no evidence available to demonstrate that the publication of the Pre-Construction Compliance Report was notified to the Department or the Certifier.</p>	Notify the Department and Certifier of publication of the next Compliance Report	SIMTA At least 7 days prior to publication	OPEN
13	CoC C21	Non-compliance	<p>CoC C21 requires that the Applicant must</p> <p>a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <p>ii. all current statutory approvals for the development</p> <p>b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>	The website has been updated prior to the finalization of this Audit Report to include MOD-1.	NA	CLOSED

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			The SSD 7709 approval does not present the most current version (i.e.: inclusive of MOD-1).			
14	CEMP Section 3.2.1	Observation	<p>Section 3.2.1 of the CEMP requires that the content of the Environment Constraint Maps (ECMs) must be included in the site induction and covered in pre-starts prior to works adjacent to identified environmental values.</p> <p>The ECM is on the wall where Georgiou conducts pre-starts. Constraints (i.e.: content from the ECMs) are discussed as relevant to the works. However there was no evidence to clearly demonstrate that the ECMs are included in the induction and pre-starts.</p>	The Induction was updated to include the ECM prior to finalization of this Audit Report.	NA	CLOSED
15	CFFMP Table 4-1	Observation	<p>Table 4-1 requires a check of the delineation of “NO-GO” areas, to ensure that the clearing boundary (e.g. high visibility flagging tape) is intact and clearly visible.</p> <p>At a section of the site along Georges River the flagging was down and needed to be reinstated. See photo 8 in Appendix F.</p>	Photos demonstrate that the flagging had been reinstated prior to the finalization of this Audit Report.	NA	CLOSED

3.3 Adequacy of Environmental Management Plans, sub-plans and post approval documents

The adequacy of post approval documents must be determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document.
- whether there are any opportunities for improvement.

A review was conducted of the:

- CEMP
- CSWMP
- CASSMP
- CTAMP
- CNVMSP
- CFFMP.

The plans are adequate for the works being undertaken.

3.4 Project's EMS

Georgiou and BMD as the principal contractors on the Project both operate a Management System for the Project. In carrying out the audit, it was evident that the elements of AS/NZ ISO 14001-2016 Environmental Management Systems are being implemented. Evidence to support this include the documents sighted during the audit (detailed in Appendix A and B) and controls observed in the field. These systems feed up to the overarching management systems being developed by SIMTA.

3.5 Summary of notices from agencies

To the Auditors knowledge no formal notices were issued by the Department during the audit period.

3.6 Other matters considered relevant by the Auditor or DPIE

3.6.1 Compliance with design conditions

A substantial number of CoCs relating to design requirements for stormwater and urban design and landscaping have been verified by the Auditor as having been incorporated into the design documentation. Verification that the required infrastructure and design elements have been installed as per the approved design will be completed by the Certifier (through review of contractor compliance statements following install and other inspections and checks that enable the issue of Occupation Certificates). Should an Independent Audit occur following the installation of certain infrastructure or design elements, then the Auditor will assess compliance through inspection where possible, or via document review comprising a check of relevant compliance statements and / or check of verification by the Certifier.

3.6.2 Complexity of overlapping works

There is substantial complexity around works occurring under the 'Early Works' scope approved under SSD 5066 and the works approved under SSD 7709. The Auditor notes that during the Independent Audit period the following works were observed on land that either partially or entirely overlapped with land defined under SSD 7709:

- remedial earthworks establishing the PFAS separation layer and management of unexpected finds, utility identification and removal / adjustment, vegetation removal and housekeeping under MPW Stage 1 (SSD 5066), and
- redevelopment of the east-west channel and Moorebank Avenue Upgrade Works (MAUW) under MPE Stage 2 (SSD 7628) including vegetation removal, removal of unexpected finds; and removal of uncovered residual utilities and services.

These overlaps present complexities in verifying whether works are compliant with the relevant consent. It is anticipated that these complexities will resolve themselves over time as works under SSD 5066 and SSD 7628 continue towards completion.

3.7 Complaints

A complaints register is being maintained for the entire MLP development. Complaints in the register presented are not specific to the Project (i.e.: a complaint would be raised about the broader development, rather than any activity associated with the Project and SIMTA would investigate accordingly).

A total of 28 complaints were received for the entire MLP development since 1 March 2020. The complaints related predominantly to noise, dust, road condition, property damage, lighting. SIMTA consider each to be closed. The auditees advise that only 1 complaint was attributed to SSD 7709 and related to noise during standard construction hours.

<https://simta.com.au/wordpress/wp-content/uploads/2021/04/SIMTA-Online-Complaints-document-to-March-2021.pdf>

3.8 Incidents

The Project has not identified any reportable incidents during the audit period.

3.9 Actual versus predicted impacts

The audit considered the actual impacts arising from the carrying out of the Project (and whether they are consistent with the relevant impacts predicted in the EIS. A summary of the assessment is presented in Table 3.

Table 3 Summary of predicted versus actual impacts

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period	Consistent (Y/N)
Traffic and access	For the construction assessment it was determined the number of truck movements would vary between 6 and 740 truck movements a day, depending on the construction works period. The level of service would be maintained at key intersections of the M5 Motorway / Moorebank Avenue and Moorebank Avenue / Anzac Road during the AM and PM peak hours.	To date traffic impacts would be less than that predicted as import of fill has predominantly occurred under SSD 5066.	Y
Noise and vibration	<p>Construction noise emissions are expected to comply with the established Noise Management Levels (NML) at all sensitive receivers, with exception of Casula, where construction noise levels during bulk earthworks are predicted to exceed the NML by 1 dBA. Construction noise levels during all proposed out of hours works periods are predicted to comply with the NML at all times.</p> <p>Cumulative construction noise levels due to concurrent activities associated with MPW Early Works, MPE Stage 1 and the Proposal are predicted to comply with the NMLs at all receivers, with the exception of Casula, which exceeds the NML at the most affected residential receivers by up to 2 dBA.</p>	<p>The continuous, attended and plant sound power level noise monitoring data indicates that noise emissions are consistent with that predicted in the EIS, with only marginal exceedances of the NMLs on several occasions. One noise complaint was received in relation to SSD 7709. All other noise complaints were associated with other MLP projects.</p> <p>There have been no Out of Hours Works conducted under SSD 7709 to date.</p>	Y
Air quality	The construction phase of the Proposal would involve site clearing, bulk earthworks and placement of engineering fill, which would generate dust emissions. Exhaust emissions from operation of construction vehicles and plant would also generate particulate emissions. These impacts can be effectively controlled through the implementation of standard control measures, including the use of water carts on haul roads and during other particulate emission generating construction activities.	<p>Dust deposition gauge monitoring demonstrates that deposited dust levels are compliant with the applicable criteria.</p> <p>Evidence was provided that demonstrates that unsealed surfaces and stockpiles are being stabilized and that plant and machinery is being appropriately serviced and maintained.</p>	Y

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period	Consistent (Y/N)
Biodiversity	<p>The Biodiversity Assessment Report (BAR) identified impacts to three threatened ecological communities (TECs) listed under the Threatened Species Conservation Act 1995 (TSC Act) and/or Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) associated with the following Plant Community Types (PCTs) in the site. Two threatened flora populations were also identified to be impacted on the site.</p> <p>The clearing of vegetation will result in the loss of specific fauna habitat components, including live trees, tree hollows, foraging resources, ground layer habitats such as ground timber and well-developed leaf litter. These resources offer sheltering, foraging, nesting and roosting habitat to a variety of fauna, including threatened fauna, occurring within the locality. The Proposal will require removal of over 43 hollow-bearing trees.</p>	<p>These impacts have been realized. Pre-clearing and clearing methodologies within the CFFMP appear to have been implemented.</p> <p>Offset credits have been retired.</p>	Y
Stormwater and flooding	<p>Construction of the Proposal would require vegetation clearing and the importation and placement of large amounts of fill material to level and raise the site, which has the potential to lead to erosion and generate sediment laden runoff into the Georges River, thereby impacting water quality. The majority of the Proposal site has been assessed as having a low erosion potential, however, works within the vicinity of the Georges River and Anzac Creek would have high erosion potential and would be managed accordingly. If not appropriately managed, there is a high potential for erosion from the Proposal site. A Construction Soil and Water Management Plan (CSWMP) and Erosion and Sediment Control Plan (ESCP) would be prepared in accordance with the principles and requirements of the Blue Book.</p>	<p>A CSWMP and progressive ESCPs have been developed and are being implemented. Inspections by a CPESC indicate that the controls are verified by an appropriately qualified and experienced person.</p> <p>The controls were of a high quality during the on site component of the Independent Audit.</p>	Y

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period	Consistent (Y/N)
Contamination	<p>The Moorebank Intermodal Terminal Contamination Summary Report (Golder, 2016b) provides a summary of the known contamination risks on the Proposal site identified in previous investigations, noting that the majority of contamination remediation would be undertaken during Early Works.</p> <p>It is noted that unexpected impacts or structures or source zones may exist within the Proposal site that may be potential sources of contamination or be indicators of contamination. These include asbestos containing materials, remnant unexploded ordnance (UXO), exploded ordnance (EO) or explosive ordnance waste (EOW) items, Anthropogenic fill deposits (buried waste deposits), Trichloroethylene (TCE), Perfluoroalkyl and polyfluoroalkyl substances (PFAS).</p>	<p>The SSD 7709 Site Audit Statement certifies that the site is fit for use (commercial / industrial) subject to implementation of the Long-Term Environmental Management Plan, EP Risk, 27/11/20, and the Contamination Management Plan, EP Risk, 08/11/20. Both those documents address the proposed approaches for managing residual contamination including PFAS, unexpected finds and contamination present in vegetated areas. No RAP was deemed to be required by the Contaminated Site Auditor.</p>	Y
Aboriginal heritage	<p>The construction of the Proposal would result in direct impacts to MA6, MA7, MA10, MA14, MPW Stage 2 Terrace PAD and the Tertiary Terrace.</p>	<p>The Biosis Clearance Report confirms completion of salvage in accordance with the Salvage Strategy.</p>	Y
Non-Aboriginal heritage	<p>The assessment identified one on-site item (the Moorebank Cultural Landscape) and three surrounding items (Kitchener House, Glenfield Farm and Casula Power Station) that would be impacted by the Proposal. No direct impacts during construction or operation are anticipated at the three surrounding items.</p>	<p>No impacts identified.</p>	Y
Greenhouse gases	<p>The total greenhouse gas (GHG) emissions associated with the construction of the Proposal are expected to be 32,724 tonnes of carbon dioxide equivalents (tCO₂-e) during the 36 month construction period.</p>	<p>Based on the evidence provided, the Project is being constructed in accordance with the EIS and the CoC. The import of fill has largely occurred under SSD 5066 (rather than SSD 7709 as intended). On these bases it is reasonable to assume that GHG emissions are consistent or lower than that predicted at this stage.</p>	Y

4. CONCLUSIONS

This Audit Report is the first Independent Audit for the construction period, covering the period from the granting of consent (11 November 2019) to March 2021.

The overall outcome of the Independent Audit was positive. All compliance records were organised and available at the time of the site inspection and interviews with Project personnel representing SIMTA.

Relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements.

Detailed findings are presented in Section 3, along with actions to address each of the findings. The findings are summarized as follows:

- There were 291 CoCs assessed.
- Six non-compliances were identified against the CoCs. These relate to submission of the ER Monthly Reports, payment of a levy to Liverpool City Council, the size and structure of stockpiles, the granting of approval from TfNSW on Moorebank Avenue road design, the notification of publication of the Pre-Construction Compliance report and content on the website.
- Seven observations were identified in relation to the CoCs and two observations identified in relation to the CEMP and CFFMP. These relate to the tracking and volume of imported fill to the site, payment of contributions to TfNSW, addressing actions identified by the Certified Professional in Erosion and Sediment Control (CPESC), stormwater design, road design and fauna movements, findings from the Road Safety Audit, content of the Driver Code of Conduct, training as described in the CEMP, and the installation of no go flagging.

The Auditor would like to thank the auditees from Tactical, J. Wyndham Prince, Aspect Environmental, Caras, Georgiou and BMD (all representing SIMTA) for their high level of organisation, cooperation and assistance during the Independent Audit.

5. LIMITATIONS

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APPENDIX A – SSD 7709 CONDITIONS OF CONSENT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Conditions to be met for Stage 2				
Part A - Administrative conditions				
Obligation to Minimise Harm to the Environment				
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	Evidence referred to elsewhere in this Table. Appendix B	The evidence indicates that all reasonable and feasible measures are being implemented to prevent or minimise harm to the environment within the terms of the approved Project.	C
Compliance				
A2	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Moorebank Precinct Face to Face Induction Georgiou TBT 22/01/21, 08/09/20. Georgiou Online HSE system Beacon.	Project requirements are included in subcontractor engagement packages. All staff and contractors undergo a Project induction which sets out key requirements of the Project. Staff and contractors attend regular toolbox talks and pre-starts which identify risks and controls for work being conducted.	C
Terms of Consent				
A3	The development may only be carried out: a) in compliance with the conditions of this consent; b) in accordance with all written directions of the Planning Secretary; c) in accordance with the EIS, Response to Submissions (RtS) and Consolidated assessment clarification responses; and d) in accordance with the management and mitigation measures in Appendix 2 .	This consent Evidence referred to elsewhere in this Table and Appendix B Interview with auditees 17/03/21 Site inspection 17/03/21 Moorebank Precinct West - Stage 2 Proposal Environmental Impact Statement – (SSD16-7709), Arcadis, October 2016 Moorebank Precinct West - Stage 2 Proposal Response to Submissions – SSD 16_7709, Arcadis, July 2017 (and clarifications) The mitigation measures submitted to the Department 02/11/18 (incorporated into the approved CEMP and sub-plans)	Whilst some non-compliances were identified, these were not substantial (i.e.: resulting in material impact to people or the environment) or significant in number. Other than these few events, compliance is being achieved in all other respects, and on this basis the Auditor does not consider it appropriate to assign a non-compliance with this condition. There have been no written directions from the Planning Secretary. The Project is being constructed in general accordance with the EIS and RtS and list of responses to clarifications. The mitigation measures have been incorporated into the approved CEMP and sub-plans, and Design Reports. These appear to have been implemented for the current works.	C
A4	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and b) the implementation of any actions or measures contained in any such document referred to in condition A4(a).	Interview with auditees 17/03/21 and 19/03/21	It is understood that no directions have been received.	NT
A5	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in Conditions A3(c) – (d) . In the event of an inconsistency, ambiguity or conflict between any of the documents listed in Conditions A3(c) – (d) , the most recent document prevails to the extent of the inconsistency, ambiguity or conflict. <i>Note: For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Planning Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.</i>	-	Noted. This audit assess compliance with the consent first and foremost. No issues observed.	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Limits of Consent				
Lapsing				
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.	Site inspection 17/03/21	The consent was granted on 11/11/19. Project works have commenced.	C
Construction Limits				
A7	Only VENM, ENM, or other imported fill material approved in writing by EPA is to be placed on the site.	<p>VENM Assessment (Central and Western Portion of Site) Sydney Metro - North Station Shaft, Martin Place 18 Castlereagh Street, Sydney, Douglas Partners, 13/09/19</p> <p>Virgin Excavated Natural Material (VENM) 928-930 Anzac Parade, Maroubra NSW, Argus, 30/01/20</p> <p>M4-M5 Link Tunnel Spoil Order Assessment Albert Street St Peters, JME, 29/05/19</p> <p>M4-M5 Link Tunnel Spoil Order Assessment Northcote Street Haberfield, JME, 14/10/19</p> <p>Waste Analysis & Classification Report Central Railway Station, Metro Box, Chippendale NSW, ADE Consulting, 15/01/19</p> <p>Waste Analysis & Classification Report Tunnel Site A, Westconnex Stage 3B, Rozelle Interchange Site, Rozelle NSW, ADE Consulting, 28/01/20</p> <p>The M4-M5 Link tunnel spoil exemption 2019, EPA, commencing 17/04/19</p> <p>The Rozelle Interchange tunnel spoil exemption 2019, EPA, commencing 17/04/19</p> <p>The Sydney Metro tunnel spoil exemption November 2018, EPA, commencing 09/08/18</p> <p>Site inspection 17/03/21</p> <p>Interview with auditees 17/03/21</p>	<p>Evidence was provided to demonstrate that imported material had been classified as VENM, ENM or material approved in writing by the EPA.</p> <p>Observation: The Auditor interviewed the weighbridge operators and auditees and asked how they determine whether the material being imported is the same material as that covered by the material classification report (and that approved by the Project to be imported to site). The auditees advised:</p> <ul style="list-style-type: none"> - the Project has no relationship with the material consigner. Material import bookings are done with the transport company only. - The Project undertake a visual inspection at the weighbridge and unloading point to confirm that the material looks consistent with the approved material (e.g.: sandstone, shale etc). - Trucks are fitted with GPS enabling the Project to assess the route travelled and stops made. Records were provided. - Periodic audits of trucks (i.e.: tailing of truck from the source to the Project) to verify the proper supply of material was not happening at any set or regular frequency. It is understood from the interview that the last tail was completed in December 2020, however records provided were from 2018. It is unclear how many tails have occurred during the audit period. <p>A request was made for the auditee to provide any procedures that they implement to provide certainty that the material received is in fact the material requested (and approved). A procedure was referred to by the auditee but this was not provided to the Auditor.</p> <p>It is the Auditors opinion that there is an opportunity for the transport company to import material from sources other than that approved by the consumer (i.e.: the Project) without the Project's knowledge.</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A8	The total volume of uncompacted fill to be imported must not exceed 1,600,000 m ³ .	Weighbridge material tracker sighted 17/03/21 Moorebank Precinct East Daily Imported Fill Reports, CARAS, April – November 2020 Moorebank Precinct West Daily Imported Fill Reports, CARAS, February 2020 – March 2021 05/01/21 Truck GPS report Teltrac Navman Activity Report By Vehicle For 6-9-2020 Vehicle Activity Report CP76NX 09/12/20	According to the MPW Daily Imported Fill Report for 27/02/21 ~2.495million tonnes of material has been imported to site. The auditees have adopted a density factor of 2.1 and on this basis ~1.18 million m ³ of fill has been imported to date across all projects using the weighbridge (SSD 7709, SSD 5066, SSD 7628) The Auditor requested that the Project identify the breakdown of fill imported to SSD 5066 and SSD 7709 (SSD 7628 is likely to have required minimal volumes in consideration of the overall volumes imported). This detail was not provided however the auditee advised that all fill imported to site prior to 01/12/20 was completed under SSD 5066.	C
A9	Importation of imported fill must not exceed a total of 22,000 m ³ of material per day across this development and MPE Stage 2 (SSD 7628) on the same day.	Import Register LPWPIW&INTS Imp.xls (CARAS) Moorebank Precinct East Daily Imported Fill Reports, CARAS, April – November 2020 Moorebank Precinct West Daily Imported Fill Reports, CARAS, February 2020 – March 2021.	According to the material import register and daily reports the largest import days were in the order of 16,000 tonnes (~7,600 m ³).	C
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.	Clearing Permit Section 8, 03/12/20 Construction Flora and Fauna Management Plan Moorebank Precinct West Stage 2, 10/03/20 Interview with auditees 17/03/21 Site inspection 17/03/21	The figures in the FFMP align with the approved plans. These are then transposed onto the clearing permits. Boundaries are surveyed and flagged before clearing. Clearing is not permitted beyond the flagging. No issues observed.	C
A11	No works in the riparian corridor outside the site are permitted under this approval. <i>Note: DPI (Lands) must be consulted on design, approvals and licencing for any works on Crown land for the purposes of discharging stormwater from the site (including scour protection/ erosion control).</i>	Clearing Permit Section 8, 03/12/20 Construction Flora and Fauna Management Plan Moorebank Precinct West Stage 2, 10/03/20 Interview with auditees 17/03/21 Site inspection 17/03/21	The figures in the FFMP align with the approved plans. These are then transposed onto the clearing permits. Boundaries are surveyed and flagged before clearing. Clearing is not permitted beyond the flagging. No issues observed.	C
A12	No works are permitted by the Applicant within the RMS (M5 Motorway) land and no impact is permitted on Roads and Maritime drainage infrastructure system or on adjoining Roads and Maritime assets, without the consent of the RMS and M5 Motorway Operator (Interlink).	Site inspection 17/03/21	The works to date have not interfaced with RMS assets.	C
Operational Limits				
A13	The container freight throughput for MPW must not exceed 500,000 TEU p.a.	Site inspection 17/03/21	The project is under construction.	NT
A14	Containers that are transferred between the site and Port Botany must be transferred by rail, unless there is planned track maintenance or where unforeseen circumstances have occurred (e.g., an incident, breakdown, derailment or emergency maintenance on the rail line).	Site inspection 17/03/21	The project is under construction.	NT
A15	The transfer of containers between Port Botany and the intermodal terminal facility must not commence until the rail connection to the Southern Sydney Freight Line is operational.	Site inspection 17/03/21	The project is under construction.	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A15A	The development must not generate more than: (a) 2,670 light vehicle movements a day during operation; and (b) 1,654 heavy vehicle movements a day during operation.	Site inspection 17/03/21	The project is under construction.	NT
A15B	The applicant must keep accurate records of the number of heavy and light vehicles entering and leaving the site each day. These records must be provided to the Planning Secretary upon request, and to the approved traffic auditor upon the trigger events in B120B occurring and prior to the commencement of the Traffic Audit required under condition B120A.	Site inspection 17/03/21	The project is under construction.	NT
A16	The maximum GFAs for the following uses apply: a) 215,000 m ² for the warehousing and distribution facilities; and b) 800 m ² for the freight village.	Site inspection 17/03/21	The project is under construction.	NT
A16A	Warehousing associated with the development is to be limited to the area identified in the plan titled 'Precinct Modification Plan — Proposed' (Drawing No JR-SK-A-0-9402, Revision G), prepared by Bell Architecture and dated 16 October 2020).	Site inspection 17/03/21	The project is under construction.	NT
A17	The warehousing and distribution facilities must only be used for activities associated with freight using the either the MPE or MPW rail intermodal terminal.	Site inspection 17/03/21	The project is under construction.	NT
A18	Notwithstanding Condition A17 , movements of containers between a rail intermodal terminal on either MPE and MPW site, and a warehouse on either the MPE or MPW site, are permitted where those movements are also approved for MPE.	Site inspection 17/03/21	The project is under construction.	NT
A19	For the avoidance of doubt, nothing in this consent permits: a) the occupation or use of a warehouse and/or distribution facility on the site before the commencement of operation of either the MPE or MPW rail intermodal terminal; or b) truck-to-truck movements.	Site inspection 17/03/21	The project is under construction.	NT
A20	Freight village tenants and occupations are restricted to those activities that provide: a) ancillary support for the development, its tenants, worker population and visitors; b) a nexus with activities undertaken in relation to the warehouse, logistics functions of the IMT development and/ or; c) provide aligned services to the intermodal functions.	Site inspection 17/03/21	The project is under construction.	NT
Access for People with a Disability				
A21	The siting, design and construction of premises available to the public are to ensure an appropriate level of accessibility so that all people can enter and use these premises. Access is to meet the requirements of the <i>Disability Discrimination Act 1992</i> , relevant Australian Standards and Building Code of Australia (BCA).	Site inspection 17/03/21	The project is under construction.	NT
Demolition				
A22	All demolition must be carried out in accordance with <i>Australian Standard AS 2601-2001 The Demolition of Structures</i> (Standards Australia, 2001).	Interview with auditees 17/03/21	No demolition works have occurred under SSD 7709. These occurred under SSD 5066.	NT
Structural Adequacy				
A23	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be designed and constructed in accordance with the relevant requirements of the BCA. Note: • Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. • Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.	Site inspection 17/03/21	There are no new or altered buildings on site, other than temporary sheds.	NT
External Walls and Cladding				
A24	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Site inspection 17/03/21	There are no new or altered buildings on site, other than temporary sheds.	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A25	Before the issue of a Construction Certificate and an Occupation Certificate, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.	Construction Certificate 190359/03 (for roads drainage electrical), dated 10/03/21 Construction Certificate 190359/02 (stormwater and civils), dated 08/02/21 Construction Certificate 190359/01 (for earthworks), dated 01/12/20 Site inspection 17/03/21	Three Construction Certificates have been granted for roads drainage electrical and earthworks. This demonstrates verification against the BCA as relevant. External wall construction is not included and has yet to commence.	NT
A26	The Applicant must provide a copy of the documentation given to the Certifying Authority under Condition A25 to the Planning Secretary within seven days after the Certifying Authority accepts it.	Construction Certificate 190359/03 (for roads drainage electrical), dated 10/03/21 Construction Certificate 190359/02 (stormwater and civils), dated 08/02/21 Construction Certificate 190359/01 (for earthworks), dated 01/12/20 Site inspection 17/03/21	Three Construction Certificates have been granted for roads drainage electrical and earthworks. This demonstrates verification against the BCA as relevant. External wall construction is not included and has yet to commence.	NT
Applicability of Guidelines				
A27	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Interview with auditees 17/03/21	The CEMP and sub-plan suite of docs refer to the applicable standards and guidelines. The auditees advise that there have been no formal directions have been issued to the Project.	C
Evidence of Consultation				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A28	Where conditions of this consent require consultation with an identified party, the Applicant must: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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. 	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 MPWS2 Aboriginal Archaeological Salvage Strategy, Artefact, 14/01/20 Moorebank Precinct West Stage 2 Koala Management Plan (KMP), Cumberland Ecology, 12/03/20 Construction Flora and Fauna Management Plan (CFFMP) Moorebank Precinct West Stage 2, SIMTA, 10/03/20 Contamination Management Plan Moorebank Precinct West, EP Risk, 30/07/20	Evidence of consultation was included in the relevant documentation. The evidence included sufficient detail to show how comments raised were addressed. The evidence was provided to the Department for each document listed.	C
Community Consultative Committee				
A29	Before the commencement of construction, a Community Consultative Committee (CCC) must be established for the development in accordance with the Department's <i>Community Consultative Committee Guidelines: State Significant Projects</i> (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.	Interview with auditees 17/03/21 CCC Meeting Minutes 09/11/20, 15/02/21	The CCC was established prior to construction of SSD 7709 and meets quarterly. Records are available on the SIMTA website.	C
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 .	Letter DPIE to SIMTA, 06/02/20 Letter DPIE to SIMTA, 04/12/19	The Department approved the expansion of the previous CCC to cover SSD 7709.	C
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: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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. 	Letter DPIE to SIMTA, 06/02/20 Community Communication Strategy Moorebank Precinct West Stage 2 24/01/20	The Department approved the CCS in February 2020, which was well before the commencement of construction of SSD 7709 (construction under the terms consent commenced 01/12/20).	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A32	The Applicant must: a) not commence Construction until the Community Communication Strategy has been approved by the Planning Secretary. b) implement for the Community Communication Strategy for the duration of construction and for 12 months following the commencement of operation.	Letter DPIE to SIMTA, 06/02/20 Community Communication Strategy Moorebank Precinct West Stage 2 24/01/20	The Department approved the CCS in February 2020, which was well before the commencement of construction of SSD 7709 (construction under the terms consent commenced 01/12/20). The CCS appears to be implemented during the works.	C
Environmental Representative				
A33	Works must not commence until an Environmental Representative (ER) has been approved by the Planning Secretary and engaged by the Applicant.	Letter DPIE to SIMTA, 29/11/19	The Department approved the ER on 24/11/19. This was prior to one month before commencement of works. Refer CoC A46.	C
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.	Letter DPIE to SIMTA, 29/11/19	The Department approved the ER on 24/11/19. This was prior to one month before commencement of works. Refer CoC A46.	C
A35	The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the EIS, Response to Submissions and any other supporting information submitted as part of applications for either MPW or MPE, and is independent of the construction and design personnel for the project and those involved in delivery of it. Note: Should the requirements of the conditions of this consent be satisfied, an ER approved for MPE and MPW development may also be considered for approval for the development.	Letter DPIE to SIMTA, 29/11/19	The Department approved the ER on 24/11/19. This was prior to one month before commencement of works. Refer CoC A46.	C
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.	Letter DPIE to SIMTA, 29/11/19	The Department approved the ER on 24/11/19. This was prior to one month before commencement of works. Refer CoC A46.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A37	<p>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:</p> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> i. make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or ii. make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary/ Department for information or are not required to be submitted to the Planning Secretary/ Department); e) regularly monitor the implementation of the documents required under this consent to ensure implementation is being carried out in accordance with the document and the terms of this consent; f) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the development commissioned by the Department including scoping audits, programming audits, briefings, and site visits, but not Independent Audits required under Condition C18 of this consent; g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints; and h) assess the impacts of minor ancillary facilities comprising lunch sheds, office sheds and portable toilet facilities as required by Condition A40 of this consent; i) consider any minor amendments to be made to the CEMP or CEMP sub-plans that require updating, or amendments of an administrative nature, and are consistent with the conditions of this consent and the most recent version of the CEMP or CEMP sub-plan approved by the Planning Secretary, and if satisfied that such an amendment is necessary, approve the minor amendment; and j) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Department's <i>Environmental Representative Protocol</i> (2018) under the heading "Environmental Representative Monthly Reports." The Environmental Representative Monthly Report must be submitted within seven calendar days following the end of each month for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary. 	<p>Fortnightly ER inspection Reports, March – March 2021</p> <p>ER endorsement letter CSWMP, 04/02/20</p> <p>ER endorsement letter CFFMP, 14/01/20</p> <p>ER endorsement letter Koala MP, 13/03/21</p> <p>ER endorsement letter ASSMP, 13/12/19</p> <p>ER endorsement letter CEMP Rev I, 11/12/19</p> <p>ER endorsement letter CNVMP Rev 5, 13/12/19</p> <p>ER endorsement letter CTAMP Rev H, 11/02/20</p> <p>ER Monthly Report, March 20 – Feb 21</p> <p>ER Monthly Report Submission (DPIE post approval lodgement) March 20 – February 21.</p>	<p>The ER Inspection and Monthly Reports indicate that they are carrying out their functions under the condition.</p> <p>Records demonstrate that the ER reviewed and endorsed the CEMP and sub-plans.</p> <p>Non-compliance: the ER Monthly Reports were submitted after 7 calendar days in May 2020 (14/05/20), Sep 2020 (09/09/20) without approval from the Department to do so.</p>	NC
A38	<p>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:</p> <ul style="list-style-type: none"> a) the complaints register (to be provided on a monthly basis); and b) a copy of any assessment carried out by the Applicant of whether proposed work is consistent with the consent (which must be provided to the ER before the commencement of the subject work). 	<p>Interview with auditees 17/03/21</p> <p>Email SIMTA to ER, 31/01/21, 08/03/21, 06/10/20, 03/12/20</p>	<p>Evidence demonstrates that the complaints register is being provided to the ER monthly.</p> <p>No assessments have been completed for SSD 7709.</p>	C
A39	<p>The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under Condition C20. The Applicant must:</p> <ul style="list-style-type: none"> 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. 	<p>Interview with auditees 17/03/21</p>	<p>No audits have been commissioned by the Department.</p>	NT
Minor Facilities				
A40	<p>Minor ancillary facilities, including lunch sheds, office sheds, portable toilet facilities, and the like, can be established where they satisfy the following criteria:</p> <ul style="list-style-type: none"> a) are located within the construction boundary; and b) have been assessed by the ER to have: <ul style="list-style-type: none"> i. minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the <i>Interim Construction Noise Guideline (DECC, 2009)</i>, 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. 	<p>ER approval of MAF, 19/03/20</p> <p>Construction Environmental Management Plan Moorebank Precinct West Stage 2, SIMTA, 14/01/20</p>	<p>1 x MAF is present on site (ResourceCo), approved by the ER on 19/03/20.</p> <p>Other main and ancillary compounds are identified in the approved CEMP.</p>	C
Submitting, Staging, Combining and Updating Strategies, Plans or Programs				
A41	<p>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.</p>	<p>Interview with auditees 17/03/21</p>	<p>The strategies, plans and programs are not being staged.</p>	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A42	<p>Unless stated otherwise in this consent, the Applicant with the approval of the Planning Secretary may:</p> <ul style="list-style-type: none"> c) prepare and submit any strategy, plan or program required by this consent as part of the construction or operational environmental management plan on a staged basis; d) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and e) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development). <p>Note: Documents that cannot be staged include Development Layout Drawings required under Condition B2, and Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation required under Condition B4, and Site Audit Statement required under Condition B169.</p>	Interview with auditees 17/03/21	The strategies, plans and programs are not being staged.	NT
A43	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	Interview with auditees 17/03/21	The strategies, plans and programs are not being staged.	NT
Staging of Construction				
A44	<p>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:</p> <ul style="list-style-type: none"> a) the revised Development Layout Drawings required under Condition B2; b) detailed drawings showing warehouses, estate infrastructure and landscaping to be delivered in each sub-stage, and how each sub-stage of estate infrastructure and landscaping connects to other sub-stages including the intermodal terminal facility; c) details of how the development will relate to concurrent construction on MPE as described in the construction program included in the approved Construction Environmental Management Plan for MPE Stage 2 (SSD 7628); d) general timing of construction sub-stages that impact upon the timing of the development subject of this consent; and e) details of the relevant conditions of the Concept Approval (5066) and of this consent that would apply to each sub-stage. <p>Note: The Staging Report will need to be amended with any approved version update of the MPE Stage 2 CEMP.</p>	Interview with auditees 17/03/21	The project is not being staged.	NT
A45	<p>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.</p> <p>Note: These conditions do not relate to staged development within the meaning of section 83B of the EP&A Act</p>	Interview with auditees 17/03/21	The project is not being staged.	NT
Notification of Commencement				
A46	<p>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:</p> <ul style="list-style-type: none"> a) any work; b) vegetation clearing required to conduct remediation; c) remediation; d) low impact works; e) construction; f) operation; g) cessation of operations; and h) decommissioning. 	<p>Letter SIMTA to DPIE, 10/02/20</p> <p>Interview with auditees 17/03/21 and 19/03/21</p> <p>Email chain Aspect and JW Prince, 26/03/21.</p>	<p>Notification of commencement of works and construction was provided on 10/02/20. The notified dates of commencement were:</p> <ul style="list-style-type: none"> • 25/02/20 for any work, vegetation clearing required to conduct remediation, remediation and low impact works. • 28/05/20 for construction. <p>It is understood the actual date of commencement of works was 02/03/20 and the actual date of commencement of construction was 01/12/20.</p>	C
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.	Interview with auditees 17/03/21	The project is not being staged.	NT
Utilities and Public Infrastructure				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A48	<p>The Applicant must engage a suitably qualified person to prepare a Pre-construction Dilapidation Report prior to the commencement of construction. This report must detail the structural condition of:</p> <ul style="list-style-type: none"> (a) local public roads likely to be used by the development's construction traffic; (b) local public roads, cycleways, footpaths and utility services likely to be impacted by construction works; and (c) off-site private land or access to off-site private land likely to be impacted by construction works. <p>The report must be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS, any affected private landowner, and the Planning Secretary.</p>	<p>Property survey condition – Commercial (ABB), 27/08/20</p> <p>Dilapidation Report, MPW S2 Anzac Road, Craigmar Consulting, 18/08/19</p> <p>Dilapidation Report, MPW S2 Bapaume Road, Craigmar Consulting, 03/09/19</p> <p>Dilapidation Report, MPW S2 Moorebank Ave, Craigmar Consulting, 18/08/19</p> <p>Email SIMTA to CCC, 26/03/20</p> <p>Email SIMTA to LCC, 26/03/20</p> <p>DPIE post approval portal lodgement, 26/04/20</p> <p>Email SIMTA to RMS, 26/03/20</p> <p>Letter Certifier to SIMTA, 25/03/20</p>	<p>Dilapidation reports were prepared prior to commencement of construction and were submitted to the identified stakeholders.</p>	C
A49	<p>Before the commencement of construction, the Applicant must consult with the relevant owner and provider of utility services and public infrastructure that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection, support or relocation of the affected utility services and infrastructure.</p>	<p>Interview with auditees 17/03/21</p>	<p>There are no utility services and public infrastructure that are likely to be affected by SSD 7709.</p>	NT
A50	<p>Unless the Applicant and the applicable owner/ authority agree otherwise, the Applicant must:</p> <ul style="list-style-type: none"> a) repair, or pay the full costs associated with repairing, any utility service or public infrastructure that is damaged by carrying out the development; b) relocate, or pay the full costs associated with relocating, any utility service or public infrastructure that needs to be relocated as a result of the development (including the road upgrades specified in Table 1); and c) provide for ongoing maintenance. <p>Note: <i>This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by conditions of this consent.</i></p>	<p>Interview with auditees 17/03/21</p> <p>Site inspection 17/03/21</p>	<p>As above.</p> <p>Construction is ongoing.</p>	NT
A51	<p>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 <i>Sydney Water Act 1994</i>.</p>	<p>Site inspection 17/03/21</p>	<p>The project is in construction</p>	NT
Telecommunications				
A52	<p>Before the issue of an Occupation Certificate for the development, the Applicant is to provide evidence, satisfactory to the Certifying Authority, that arrangements have been made for:</p> <ul style="list-style-type: none"> 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. 	<p>Site inspection 17/03/21</p>	<p>The project is in construction</p>	NT
A53	<p>The Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.</p>	<p>Site inspection 17/03/21</p>	<p>The project is in construction</p>	NT
Meteorology Monitoring				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A54	<p>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:</p> <ul style="list-style-type: none"> a) complies with the requirements in the latest version of EPA's <i>Approved Methods for Sampling of Air Pollutants in New South Wales</i> (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 <i>NSW Noise Policy for Industry</i> (NPI, EPA, 2017) (as may be updated or replaced from time to time). 	<p>Compliance Statement, Todoroski Air Sciences, 04/06/20</p> <p>Letter SIMTA to DPIE, 10/02/20</p> <p>Interview with auditees 17/03/21 and 19/03/21</p> <p>Email chain Aspect and JW Prince, 26/03/21.</p> <p>http://www.bom.gov.au/products/IDN60901/IDN60901.95761.shtml</p>	<p>It is understood the actual date of commencement of works was 02/03/20. Holsworthy Barracks Weather Station (Station ID: 066161) is located approx 1.5km away) is within the vicinity of site.</p> <p>The on-site meteorological station was installed in 17/04/20, however this was completed after the commencement of works.</p>	C
Works as Executed Plans				
A55	All detailed design drawings required to be submitted under this consent must be at or above 50% design completion, with the percentage design stated on the drawings.	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C (Appendix A)</p> <p>Letter DPIE to SIMTA, 19/05/20</p> <p>Letter DPIE to SIMTA, 29/05/20</p>	<p>The drawings in the SDDR, approved by the Department, are marked as 50% design.</p> <p>The Department approved revised Development Layout Drawings on 29/05/20 which was prior to construction.</p>	C
A56	Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor confirming that the stormwater drainage (water quality and detention infrastructure), road ways, parking and finished ground levels have been constructed as approved, must be submitted to the Certifying Authority.	Site inspection 17/03/21	The project is in construction	NT
Development Contribution				
Council Contributions				
A57	Prior to the issue of a Construction Certificate for any part of the development, the Applicant must pay a monetary levy of 1% of the development Capital Investment Value (\$5,330,000) or other amount agreed to by Liverpool City Council for transport, drainage, community facilities, administration and professional and legal fees pursuant to section 7.13(2) of the EP&A Act.	<p>Construction Certificate 190359/03 (for roads drainage electrical), dated 10/03/21</p> <p>Construction Certificate 190359/02 (stormwater and civils), dated 08/02/21</p> <p>Construction Certificate 190359/01 (for earthworks), dated 01/12/20</p>	Non-compliance: There is no evidence available to demonstrate the payment of the levy prior to issue of the Construction Certificates.	NC
Road Upgrades				
A58	The Applicant must provide all monetary contributions and/ or works-in kind as relevant to the site, in accordance with the Voluntary Planning Agreement entered into between RMS and Qube RE Services (No. 2) Pty Limited in its capacity as the trustee of the Moorebank Industrial Terminals Asset Trust, Moorebank Industrial Terminals Operations Trust and Moorebank Industrial Warehouse Trust and executed on 25 March 2019 (VPA).	Interview with auditees 17/03/21	Observation: The auditees advise that there have yet to be any works in kind completed to date. However, a VPA has been entered into, and there is no evidence of monetary contributions being made.	NT
Advisory Note				
AN1 - All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.				
Part B - Key Environmental Issues				
Development Layout				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B1	Notwithstanding the requirements of Conditions B2 and B4 , the Applicant may import and stockpile 160,000 m ³ of fill prior to finalisation of the Development Layout Drawings, Stormwater Design Development Report, Revised Stormwater System Design Drawings and supporting documentation , provided no vegetation removal is required and fill is stockpiled in previously cleared areas.	<p>Site inspections from audits completed on SSD 5066 (14/02/20 and 25/11/20).</p> <p>Interview with auditees 17/03/21</p> <p>Letter DPIE to SIMTA, 29/05/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p> <p>Weighbridge material tracker sighted 17/03/21</p> <p>Import Register LPWPIW&INTS Imp.xls (CARAS)</p> <p>Moorebank Precinct East Daily Imported Fill Reports, CARAS, April – November 2020</p> <p>Moorebank Precinct West Daily Imported Fill Reports, CARAS, February 2020 – March 2021</p>	<p>At previous inspections undertaken for the audits on SSD 5066 it was observed that stockpiling did not extend beyond that permitted under that consent.</p> <p>Approximately 375,500 tonnes of fill was imported prior to 29/05/20, which equates to ~179,000 m³. Import of fill prior to December 2020 was undertaken under SSD 5066 and SSD 7628. Refer to the previous Audit Report for SSD 5066 with regards to the extent of importation of fill under that consent.</p>	C
B2	<p>Prior to commencement of construction, the Applicant must submit revised Development Layout Drawings to the Planning Secretary for approval. The revised Development Layout Drawings must be at a scale of approximately 1:2000 at A1 showing the key development elements including but not limited to estate infrastructure, internal roads, warehouse and associated carpark footprints, the freight village, intermodal terminal facility including the truck waiting area and emergency truck storage area, rail line and rail line vehicle access roads . The revised Development Layout Drawings must show the site, construction and operational boundaries and demonstrate:</p> <p>a) provision of a riparian corridor, comprising the following:</p> <ol style="list-style-type: none"> i. a buffer zone to the most inland of: <ul style="list-style-type: none"> • 40 metres from the top of bank, as surveyed by a registered surveyor, or • the 1% AEP flood extent, excluding the localised depression at the existing major east-west drainage channel, and ii. an additional 10 metre extension to the buffer zone established in (i) above, where native vegetation is located on or within 10 metres east of the buffer; <p>b) the siting of biofiltration/ bioretention areas and OSD basins (with the exception of outlets to the Georges River and associated maintenance access) are outside the riparian corridor and outside the warehouse footprints;</p> <p>c) no construction or operation works would take place inside biodiversity offset areas;</p> <p>d) compliance with the landscaped setbacks specified in Condition B63;</p> <p>e) compliance with the percentage of landscaped area specified in Condition B68(a) within the warehouse and freight village area and truck waiting area and emergency truck storage area to be developed under MPW Stage 2;</p> <p>f) a setback of 8 to 12 m has been provided around the north, south and western perimeters of the development area to accommodate fill batter slopes of a maximum of 1V in 4H;</p> <p>g) a minimum 3 m wide maintenance access has been provided between the fill slopes and the riparian corridor, the ABB site and at the southern end of the development area, for ongoing maintenance works;</p> <p>h) provision of a controlled overland flow path through the MPW Stage 2 site as required under Condition B11 for conveyance of the major stormwater discharge from the MPE site to the Georges River;</p> <p>i) identify habitat corridor/s, of adequate dimensions to provide an adequate Koala habitat corridor as supported by a Koala specialist, to provide connectivity both within the Intermodal Precinct area and with other core koala habitat areas, as required under Condition B152. The drawings are to show any required connectivity structures and fencing;</p> <p>j) provision of a corridor between Moorebank Avenue and the Georges River for a possible future pedestrian connection across the Georges River to Casula Railway Station, of a width that would allow the future construction of a shared path that complies with the relevant suggested width set out in the Guide to Road Design Part 6A: Paths for Walking and Cycling (Austroads, 2017);</p> <p>k) the bushfire asset protection requirements are within the development area; and</p> <p>l) setbacks from the surveyed boundary of Lot 2 DP 32998, Lot 3 DP 32998, and Lot 2 DP 547293.</p>	<p>Revised Development Layout Drawings (PIWW-RCG-AR-DWG) https://simta.com.au/mpw/</p> <p>Letter DPIE to SIMTA, 29/05/20</p>	<p>The Department approved revised Development Layout Drawings on 29/05/20 which was prior to construction. The drawings address the designs and constraints from this condition.</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B3	To ensure the site will be developed in an integrated manner and that the whole development will comply with the conditions of this consent, submission of the Development Layout Drawings required by Condition B2 cannot be staged.	Letter DPIE to SIMTA, 29/05/20	The Department approved revised Development Layout Drawings on 29/05/20 which was prior to construction.	C
Soil and Water				
Revised Stormwater System Design				
B4	Prior to the commencement of construction (except to permit an initial stage comprising earthworks on land within 150m west of Moorebank Avenue along its alignment north of the overpass over the rail link), the Applicant must submit a Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation to the Planning Secretary for approval.	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C Letter DPIE to SIMTA, 19/05/20	Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation was approved by the Department on 19/05/20, which was prior to construction.	C
B5	The Stormwater Design Development Report must document how WSUD principles outlined in Condition B9 have been incorporated into the design and operation of the development.	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C Letter DPIE to SIMTA, 19/05/20	Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation was approved by the Department on 19/05/20, and includes WSUD principals. The project is in construction.	C
B6	To ensure the site will be developed in an integrated manner and that the whole development will comply with the conditions of this consent, submission of the Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation required by Condition B4 cannot be staged. <i>Note: Condition B4 allows the Applicant to conduct earthworks on land within 150m west of Moorebank Avenue along its alignment north of the overpass over the rail link prior to submission of these documents.</i>	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C Letter DPIE to SIMTA, 19/05/20	Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation was approved by the Department on 19/05/20. They are not staged.	C
Stormwater Design Independent Peer Review				
B7	An Independent Peer Review report must be submitted with the Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation .	Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C (Appendix G) Letter DPIE to SIMTA, 19/05/20	The Independent Peer Review report was included in Appendix G of the Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation. It was approved by the Department on 19/05/20, which was prior to construction.	C
B8	The review must: a) include a review of the numerical models used to develop the revised stormwater design; b) be undertaken by a technical expert, approved by the Planning Secretary, with over 15 years of experience in stormwater, flooding and water quality in NSW, including Water Sensitive Urban Design (WSUD), and not previously involved in preparation of drainage, flooding or hydrological designs or assessments for either MPW or MPE, or construction of either MPW or MPE; and c) include an assessment of the Revised Stormwater System Design Drawings and supporting documentation against all relevant conditions, stating whether the condition has been satisfied, and comments justifying the position. <i>Note: The revised Stormwater System Design Drawings and supporting documentation will not be accepted until all the conditions have been accepted to the satisfaction of, and justified by, the peer reviewer.</i>	Letter DPIE to SIMTA, 10/02/20 Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C (Appendix G)	The Department approved the technical experts on 10/02/20. The Independent Peer Review report includes a review of each of the requirements specified in a) – c).	C
Water Sensitive Urban Design				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B9	<p>The revised stormwater system design, to be detailed in the Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation, must be consistent with the objectives and principles set out in the NSW Office of Water's Guidelines for Controlled Activities and incorporate water sensitive urban design principles outlined in relevant Council policies, plans, guidelines and specifications and RMS's Water Sensitive Urban Design Guideline 2017, including:</p> <ul style="list-style-type: none"> 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. 	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	<p>Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation was approved by the Department on 19/05/20. It is consistent with the objectives and principles set out in the NSW Office of Water's Guidelines for Controlled Activities and includes the information required under this condition.</p>	C
B10	<p>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.</p>	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	<p>Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation was approved by the Department on 19/05/20.</p>	C
Piped Stormwater Drainage and Overland Flow Paths				
B11	<p>The stormwater system must be designed to:</p> <ul style="list-style-type: none"> 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. 	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	<p>Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 3.3). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.</p>	C
On-site Detention				
B12	<p>On-site detention (OSD) must attenuate peak flows from the development such that both the:</p> <ul style="list-style-type: none"> 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. 	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	<p>Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 4). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.</p>	C
B13	<p>OSD basins must:</p> <ul style="list-style-type: none"> 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. 	<p>P Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	<p>Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (drawing sets PIWW-COS-CV-DWG-0431 to 0435, and PIWWCOS-CV-DWG-0436 to 0438). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.</p>	C
Stormwater Quality				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B14	All stormwater quality elements are to be modelled in MUSIC as per the NSW MUSIC Modelling Guide.	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 5). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	C
B15	The stormwater quality infrastructure must comprise rainwater tanks, gross pollutant traps and biofiltration/ bioretention systems designed to meet the following criteria compared to a base case if there were no treatment systems in place: a) reduce the average annual load of total nitrogen by 45%; b) reduce the average annual load of total phosphorus by 65%; and c) reduce the average annual load of total suspended solids by 85%.	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 5.5). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	C
B16	All stormwater quality elements must be installed upstream of OSD basins, unless it can be demonstrated to the satisfaction of the Secretary that biofiltration/ bioretention systems within the OSD basins: a) will not suffer damage from design flows; b) can be maintained to achieve the water quality criteria; and c) will have adequate solar access ensuring that all bioretention systems are exposed to sunlight at midday on the winter solstice. This assessment is to include surrounding features of OSD basins, including but not limited to actual building heights and full mature height and size of proposed trees, as per the landscape plans.	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 6, drawing set PIWW-COS-CV-DWG0433 to 0438, Appendix H). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	C
B17	The area of biofiltration/ bioretention systems is to be at least 1% of the catchment draining to the system, to ensure there is no short-circuiting of the system.	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 5, drawing set PIWW-COS-CV-DWG-0433 to 0438). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	C
B18	Bioretention systems which are greater than 1,000 m ² in area, are to be divided into cells with no individual cell greater than 1,000 m ² .	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 5, drawing set PIWW-COS-CV-DWG0433 to 0438). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B19	<p>All filter media used in stormwater treatment measures must:</p> <ul style="list-style-type: none"> a) be loamy sand with an appropriately high permeability under compaction and must be free of rubbish, deleterious material, toxicants, declared plants and local weeds, and must not be hydrophobic; b) have an hydraulic conductivity = 100-300 mm/hr, as measured using the ASTM F1815-06 method; c) have an organic matter content less than 5% (w/w); and d) be provided adequate solar access, considering the design and orientation of OSD basins. 	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	<p>Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (drawing set PIWW-COS-CV-DWG-0453, Appendix H). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.</p>	C
Stormwater Outlet Structures				
B20	<p>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.</p> <p>Note: <i>Pollution of waters as defined under section 120 of the POEO Act.</i></p>	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	<p>Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 3.6 and drawing set PIWW-COS-CV-DWG-0455). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.</p>	C
B21	<p>Outlet structures for the discharge of site stormwater drainage to the Georges River, Anzac Creek, external drainage or natural drainage lines must be constructed of natural materials to minimise erosion, facilitate natural geomorphic processes and include vegetation as necessary (gabion baskets and gabion mattresses are not acceptable).</p>	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	<p>Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 3.6 and drawing set PIWW-COS-CV-DWG-0455). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.</p>	C
B22	<p>Outlet structures must ensure habitat connectivity and wildlife movement is maintained along the Georges River riparian corridor.</p>	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	<p>Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 3.6 and drawing set PIWW-COS-CV-DWG-0455). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.</p>	C
Stormwater System Design Drawings				
B23	<p>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.</p>	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	<p>Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Appendix A for engineering design drawings). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B24	Drawings must show: <ol style="list-style-type: none"> a) all information on a drainage catchment plans and a schedule of stormwater drainage elements (pipe lines and structures). Drainage drawing documentation is to be in accordance with the requirements detailed in Liverpool Council's Development Design Specification "D5 – Stormwater drainage design" clauses D5.22 and D5.24; b) location and width of controlled overland flow paths; c) maximum design flow levels to AHD; d) maintenance access to each on OSD basin; and e) the integration with MPE Stage 1 and MPE Stage 2 stormwater infrastructure including: <ol style="list-style-type: none"> i. stormwater infrastructure on the MPW site that is intended to convey (pipes or overland flow paths) or treat or detain stormwater from MPE Stage 1 and MPE Stage 2, and/ or ii. drawings demonstrating that stormwater detention and treatment infrastructure has been provided for and approved under MPE Stage 1 and MPE Stage 2 for western draining MPE catchments. 	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Appendix A for engineering design drawings, and drawing sets PIWW-COS-CV-DWG-0461 & 0465, PIWW-COS-CV-DWG-0481 & 0483, PIWW-COS-CV-DWG-0441 to 0443 and Appendix F). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	C
B25	All stormwater quality elements are to be detailed in the drawings including: <ol style="list-style-type: none"> 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 Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (drawing sets PIWW-COS-CV-DWG-0401 through 0499, Appendix I, Appendix H). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	C
B26	Stormwater outlet drawings must show: <ol style="list-style-type: none"> a) material type, size, thickness, with accompanying hydraulic calculations demonstrating the achievement of relevant stability thresholds; b) design arrangement including longitudinal sections, cross sections and typical arrangements; c) typical arrangements including details of any liners, keying into bed/ banks and filter material; and d) the tie in with the receiving water normal water level and/ or seasonal low flow levels. 	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (drawing sets PIWW-COS-CV-DWG-0481 through 0486). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	C
Stormwater System Design Supporting Documentation				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B27	<p>As part of the supporting documentation required under Condition B4, the Applicant must document the sequence of construction, including interim drainage solutions, for:</p> <ul style="list-style-type: none"> a) the drainage line from MPE to the Georges River; b) the northern portion of MPW, including infilling, OSD basins, transition of sedimentation basins to OSD basins; and c) the southern portion of MPW, including infilling, OSD basins, transition of sedimentation basins to OSD basins. 	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p> <p>Construction Soil and Water Management Plan (SWMP) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev 10</p> <p>Letter DPIE to SIMTA, 01/04/20</p>	<p>Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (drawing sets PIWW-COS-CV-DWG-0200 to 0250). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.</p> <p>Interim solutions for stormwater management are detailed in the SWMP, which was approved by the Department on 01/04/20</p>	C
B28	<p>As part of the supporting documentation required under Condition B4, outlet structure investigations and design inputs must be submitted to the Planning Secretary, including:</p> <ul style="list-style-type: none"> a) subsurface/ geotechnical assessment identifying underlying foundation conditions; b) hydraulic modelling; c) hydraulic calculations for stormwater outlet structures demonstrating achievement of relevant stability thresholds; and d) design specifications including schedule of drainage elements (e.g. rock sizes, and structures). 	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p> <p>Construction Soil and Water Management Plan (SWMP) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev 10</p> <p>Letter DPIE to SIMTA, 01/04/20</p>	<p>Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Appendix K). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.</p> <p>Interim solutions for stormwater management are detailed in the SWMP, which was approved by the Department on 01/04/20. Refer response to CoC B29 and B30.</p>	C
Construction Erosion and Sediment Control				
B29	<p>Prior to commencement of construction, the Applicant must prepare a Soil and Water Management Plan (SWMP) in accordance with the requirements of <i>Managing Urban Stormwater - Soils and Construction Volume 1 (Landcom 2004)</i> 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.</p>	<p>Construction Soil and Water Management Plan (SWMP) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev 10</p> <p>Letter DPIE to SIMTA, 01/04/20</p>	<p>Construction Soil and Water Management Plan (SWMP) prepared in accordance with the Blue Book. The SWMP was reviewed and endorsed by Mr Carl Vincent of ErSed, being a certified CPESC and approved by DPIE (refer DPIE Letter DOC19/1037798 dated 2/12/2019).</p> <p>The Department approved the SWMP on 01/04/20</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B30	<p>The SWMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1, the SWMP must include, but not be limited to:</p> <ul style="list-style-type: none"> a) erosion and sediment control hazard assessment that includes: <ul style="list-style-type: none"> i. monthly rainfall erosivity, ii. (flooding liability, iii. topography, iv. physical and chemical properties of in-situ and imported soil, v. sensitivity of the receiving environment; b) management strategies to address the identified erosion and sediment control hazard that consider: <ul style="list-style-type: none"> i. statutory and environmental management requirements including: <ul style="list-style-type: none"> - minimising the extent and duration of land disturbance, - controlling water movement through and from site, - locating sediment basins in areas not subject to local stormwater flooding, - minimising soil erosion, - maximising sediment retention on site, - prompt and progressive stabilisation of disturbed areas, ii. maintenance of drainage, erosion and sediment control measures, iii. monitoring and adjusting drainage, erosion and sediment control measures to achieve necessary performance standards, iv. planning for predicted rainfall and winds events and shut down periods; c) a schedule of construction activities for the development, installation and removal of control measures and temporary and permanent stabilisation works, d) Erosion and Sediment Control Plans, including: <ul style="list-style-type: none"> i. existing and proposed contours and drainage path, ii. all access points and facilities associated with the development, iii. limits of disturbance including protected areas and features, iv. extent of earthworks, v. areas of cut and fill, vi. location of all drainage, erosion and sediment control measures including numbering for identification, and vii. surface water monitoring locations; e) specific operating procedures such as dewatering and the treatment of water and sediment collected in basins; and f) details on methods of temporary and permanent slope stabilisation to adjacent lands (including the riparian corridor). 	<p>Construction Soil and Water Management Plan (SWMP) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev 10</p> <p>Letter DPIE to SIMTA, 01/04/20</p>	<p>Construction Soil and Water Management Plan (SWMP) prepared to address the requirements of this condition:</p> <ul style="list-style-type: none"> a) Table 3.4, Sections 2.3-2.6, 2.8, 3.5, 6.1, Appendices A, D, G b) Sections 2.8, 3.4-3.6, 4, 5, 5.8, 6, 8, Appendices A, B c) Sections 4 and 5 d) Appendix A e) Sections 5, 6 and 8, Appendix A f) Section 5.8 <p>The SWMP was reviewed and endorsed by Mr Carl Vincent of ErSed, being a certified CPESC and approved by DPIE (refer DPIE Letter DOC19/1037798 dated 2/12/2019).</p> <p>The Department approved the SWMP on 01/04/20</p>	C
B31	Erosion and Sediment Control Plans must be updated as construction progresses and site conditions change.	Progressive ESCP, 09/02/21, 07/10/20, 12/10/20, 04/12/20, 22/12/20	Progressive erosion and sediment control plans are updated regularly by the Environment Manager and reviewed by the CPESC.	C
B32	The CPESC must undertake monthly inspections during construction, report on implementation of the SWMP and recommend any improvements to the SWMP and site control measures. The CPESC's report must be provided to the Planning Secretary monthly for the duration of construction or another time period as agreed by the Planning Secretary.	<p>CPESC Report 01/12/20, 24/12/20, 05/02/21 26/02/21</p> <p>Email SIMTA to DPIE, 15/01/21</p> <p>DPIE post approval lodgement, 02/03/21</p> <p>DPIE post approval lodgement, 15/02/21</p>	<p>The CPESC reports show that inspections are occurring monthly and recommendations on improvement are being made. These are being submitted monthly.</p> <p>Observation: the CPESC Reports identify areas of improvement, however there is no evidence to show in subsequent reports on how these are addressed. Additionally, some dates do not appear to be updated for each report.</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B33	All temporary construction stage erosion and sediment control infrastructure that is intended to be converted to permanent stormwater quality or on-site detention infrastructure must be constructed in accordance with the revised stormwater design drawings approved by the Planning Secretary under Condition B4 .	Site inspection 17/03/21 Interview with auditees 17/03/21	Whilst the construction of stormwater infrastructure had commenced (i.e.: installation of some pits and lines – none of which were live), no temp works to be converted to permanent works have occurred.	NT
B34	Conversion of construction stage erosion and sediment control infrastructure into permanent stormwater quality or on-site detention infrastructure must only occur once the civil works (roads and drainage) have been completed for the associated site sub-catchment.	Site inspection 17/03/21 Interview with auditees 17/03/21	Whilst the construction of stormwater infrastructure had commenced (i.e.: installation of some pits and lines – none of which were live), no temp works to be converted to permanent works have occurred.	NT
B35	Where construction of sediment basins and stormwater outlet works (including clearing, scour protection/ erosion control) are to be undertaken outside the site on Crown land (being the banks and bed of the Georges River), design those works must be prepared with the input of an aquatic ecologist, and evidence of DPI (Crown Lands) approval is to be provided to the Planning Secretary prior to commencement of construction. Details of finished works are to be submitted to DPI (Crown Lands) for information.	Interview with auditees 17/03/21	These works have not commenced.	NT
Stormwater Infrastructure Operation and Maintenance Plan				
B36	Prior to commencement of operation, the Applicant must prepare a Stormwater Infrastructure Operation and Maintenance Plan to manage the operation and maintenance of stormwater infrastructure on-site and off-site, to the satisfaction of the Planning Secretary. The plan must form part of the OEMP required under Condition C5 and must be implemented for the life of the assets and must include provision for: <ul style="list-style-type: none"> a) the management and maintenance of the assets, including evidence that a maintenance contract is in place with a reputable and experienced maintenance contractor; b) quarterly inspections, and inspections after major rainfall events including scour/ bank protection structures; c) schedule for routine checking (at least quarterly), cleaning and servicing of all water quality devices/ systems in accordance with the manufacturer's and/ or designer's recommendations; d) maintenance of records of all maintenance activities undertaken; e) preparing quarterly maintenance reports, detailing the results of quarterly inspections, inspections after major rainfall events, and maintenance activities; f) recording results of water quality monitoring required under Condition B38; g) investigation, management and mitigation of water quality target exceedances; h) requiring annual independent auditing; and i) procedures for submission of the quarterly maintenance reports and annual independent audit reports to the Planning Secretary, including the results of inspections, management and maintenance actions and water quality monitoring. 	Site inspection 17/03/21	The project is in construction	NT
B37	In addition to the requirements for independent environmental audits under Conditions C16 to C18 , the annual audit of the stormwater quality system must be undertaken by a suitably qualified professional with demonstrable experience in WSUD. The audit is to verify the condition of the treatment system(s), verify and document that the system(s) is working as intended, verify the system(s) has been cleaned adequately, verify there is no excessive build-up of material in the system(s) and identify any issues with the treatment system(s) which require rectification for the system(s) to adequately perform its intended function.	Site inspection 17/03/21	The project is in construction	NT
Stormwater Quality Monitoring				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B38	<p>Prior to commencement of operation, the Applicant must prepare a Stormwater Quality Monitoring Program in consultation with Council and the EPA. The program must form part of the OEMP required under Condition C5, be implemented for the life of the development and include the following:</p> <ul style="list-style-type: none"> a) base line water quality data; b) monitoring parameters; c) water quality assessment criteria; d) receiving water quality monitoring sites in Anzac Creek and upstream and downstream of the site in the Georges River; e) monitoring of water quality at sediment basin/ on-site detention/ bioretention basin outlet channels and piped outlets discharging to the Georges River; f) frequency of sampling, including wet weather sampling; g) method of sampling and analysis; h) assess water quality and quantity performance for construction discharges and ongoing stormwater discharges from the development to ensure protection of the desired ecological values of Anzac Creek; and i) include sampling locations and the frequency of sampling including wet weather sampling. 	Site inspection 17/03/21	The project is in construction	NT
Acid Sulfate Soils Management				
B39	<p>An Acid Sulfate Soils Management Plan must be developed consistent with the Acid Sulfate Soils Manual and must:</p> <ul style="list-style-type: none"> a) deal with the unexpected discovery of actual or potential acid sulfate soils; and b) include procedures for the investigation, handling, treatment and management of such soils and water seepage. 	<p>Acid Sulfate Soil Management Plan (ASSMP) Moorebank Precinct West Site, 400 Moorebank Avenue, Moorebank NSW, EP Risk, 30/01/20</p> <p>Letter DPIE to SIMTA, 21/02/20</p>	<p>The ASSMP was prepared to address these requirements (Sections 7, 7.2 – 7.12) and was approved by the Department.</p> <p>The requirements of CoC C1 were addressed in Sections 2, 4, 5, 7, 8, 9 of the ASSMP.</p>	C
Land Disturbance, Earthworks and Importation of Fill				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B40	<p>The Applicant must:</p> <ul style="list-style-type: none"> a) keep accurate records of the source, volume and type of fill imported to, and material removed from, the site; and b) make these records available to the Department or EPA upon request. 	<p>Weighbridge inspection 17/03/21</p> <p>VENM Assessment (Central and Western Portion of Site) Sydney Metro - North Station Shaft, Martin Place 18 Castlereagh Street, Sydney, Douglas Partners, 13/09/19</p> <p>Virgin Excavated Natural Material (VENM) 928-930 Anzac Parade, Maroubra NSW, Argus, 30/01/20</p> <p>M4-M5 Link Tunnel Spoil Order Assessment Albert Street St Peters, JME, 29/05/19</p> <p>M4-M5 Link Tunnel Spoil Order Assessment Northcote Street Haberfield, JME, 14/10/19</p> <p>Waste Analysis & Classification Report Central Railway Station, Metro Box, Chippendale NSW, ADE Consulting, 15/01/19</p> <p>Waste Analysis & Classification Report Tunnel Site A, Westconnex Stage 3B, Rozelle Interchange Site, Rozelle NSW, ADE Consulting, 28/01/20</p> <p>The M4-M5 Link tunnel spoil exemption 2019, EPA, commencing 17/04/19</p> <p>The Rozelle Interchange tunnel spoil exemption 2019, EPA, commencing 17/04/19</p> <p>The Sydney Metro tunnel spoil exemption November 2018, EPA, commencing 09/08/18</p>	<p>The weighbridge showed that records of source, volume and type of fill imported to site was being recorded. These were supported by the material classification reports. Refer response to CoC A7.</p> <p>The records are available for the Department and EPA if required.</p> <p>No material has been exported under SSD 7709.</p>	C
B41	<p>Land disturbance and land filling activities must be undertaken:</p> <ul style="list-style-type: none"> a) in a phased manner, impacting a maximum contiguous area of 65 hectares at any one time; and b) with no disturbance (including vegetation clearing) of another area (other than the construction of erosion and sediment control measures and associated drainage for the separation of clean and dirty water) until: <ul style="list-style-type: none"> i. a C-factor of 0.05 has been achieved on the previous phase, and ii. at least 75% of the permanent stabilisation works have been implemented for the previous phase, and iii. at least 95% all of the permanent stabilisation works on any other previously disturbed area have been implemented. <p>Note: For the purposes of this condition, permanent stabilisation works include established grass cover and for the southern fill area where future warehousing is proposed, must be in accordance with Condition B65.</p>	<p>Progressive ESCP, 09/02/21, 07/10/20, 12/10/20, 04/12/20, 22/12/20</p>	<p>Progressive erosion and sediment control plans are updated regularly by the Environment Manager. They identify the continuous areas of exposure, disturbed area, C factor, soil loss, etc.</p> <p>The progressive erosion and sediment control plant shows compliance with part a) and b)i). Permanent stabilisation works are not within the audit period.</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B42	Stockpiling of imported fill is not permitted for longer than 6 months before placement.	<p>Site inspection 17/03/21</p> <p>Site inspections from audits completed on SSD 5066 (14/02/20 and 25/11/20).</p> <p>Interview of auditees 17/03/21</p> <p>Import Register LPWPIW&INTS Imp.xls (CARAS)</p> <p>Moorebank Precinct East Daily Imported Fill Reports, CARAS, April – November 2020</p> <p>Moorebank Precinct West Daily Imported Fill Reports, CARAS, February 2020 – March 2021</p>	<p>Import of fill prior to December 2020 was undertaken under SSD 5066 and SSD 7628. Import of fill under SSD 7709 commenced in December 20. On this basis 6 months of placement under SSD 7709 has yet to be triggered.</p> <p>Refer to the previous Audit Report for SSD 5066 with regards to the extent of importation of fill under that consent. Based on the inspections conducted under SSD 5066 audits and the inspection for the SSD 7709 audit, it appears as though whilst stockpile locations are relatively static, material imported under SSD 7709 is being progressively stockpiled and consumed. Long term stockpiles appear to have been developed under SSD 5066 only.</p>	NT
B43	<p>Stockpiles must:</p> <ul style="list-style-type: none"> a) not exceed 10 m in height; b) be benched over 4 m in height; c) have maximum of 1V:3H slopes; and d) be stabilised if not worked on for more than 10 days. 	<p>Site inspection 17/03/21</p> <p>Email SIMTA to DPIE, 16/03/21</p>	<p>Non-compliance: Stockpiles were observed that were greater than 10m high and not benched at 4 metres. This non-compliance was reported by the Project under CoC C11.</p>	NC
B44	Placed fill must be stabilised if construction does not commence within 10 days.	<p>Site inspection 17/03/21</p> <p>Site inspections from audits completed on SSD 5066 (14/02/20 and 25/11/20).</p> <p>Progressive ESCP, 09/02/21, 07/10/20, 12/10/20, 04/12/20, 22/12/20</p>	Placed fill is stabilised when not being actively worked on. This was sighted during the site inspections and is evidenced through the stabilisation factor calculations on the progressive erosion and sediment control plans.	C
B45	The design of fill batters must ensure stability, mitigate visual impacts, provide for maintenance activities and demonstrate that there are no impacts on adjacent lands, including biodiversity offset areas and the riparian corridor.	<p>Revised Development Layout Drawings (PIWW-RCG-AR-DWG)</p> <p>https://simta.com.au/mpw/</p> <p>Letter DPIE to SIMTA, 29/05/20</p>	The batters around stormwater infrastructure are designed to meet the specifications in CoC B2 which (by extension) meet these requirements.	C
Air Quality				
Dust Minimisation				
B46	<p>The Applicant must ensure dust emissions generated by the development do not cause exceedances of the following criteria at private property not associated with the development:</p> <ul style="list-style-type: none"> a) 2 g/m²/month maximum increase in deposited dust level; and b) 4 g/m²/month maximum deposited dust level. 	<p>Environmental monitoring register Feb 20 – Feb 21</p> <p>Complaints register current to 28/02/21</p>	6 x DDG are deployed. Results are all satisfactory. Several dust complaints were received during the audit period however the project attributes these to SSD 5066.	C
Prevention of Odours				
B47	The Applicant must ensure the development does not cause or permit the emission of any odour, which may be offensive odour (as defined in the POEO Act) outside of the premises (as defined in the POEO Act).	<p>Site inspection 17/03/21</p> <p>Complaints register current to 28/02/21</p>	<p>A small amount of odour was observed on the northern works, however these were very localised.</p> <p>No complaints in relation to these matters.</p>	C
Urban Heat Island Mitigation (UHIM)				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B48	The Development must be designed and operated to meet Urban Heat Island Mitigation principles and to achieve a 4°C degree decrease in temperature compared to neighbouring industrial developments by including measures such as: <ul style="list-style-type: none"> a) WSUD elements such as wetlands; b) shade tree planting; c) vegetation ground cover; d) use of 'cool' building and pavement materials (i.e. those with high reflectivity in the infrared spectrum); and e) green roofs. 	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	Urban Heat Island Mitigation is included in Section 2 of the UDDR. It specifies the relevant control measures. The UDDR was approved by the Department 12/08/20	C
Ecologically Sustainable Development				
B49	The Development must be designed and operated to meet ESD principles and include measures such as the following: <ul style="list-style-type: none"> a) passive solar design; b) use of energy efficient plant and equipment; c) use of renewable energy sources; d) cross-ventilation e) selection of materials with lower energy manufacturing requirements; f) use of locally sourced materials to reduce impacts associate with transport; g) rainwater capture and reuse; h) water efficient fixtures and fittings; and i) waste minimisation and recycling. 	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	ESD principles are included in Section 2 of the UDDR. It specifies the relevant control measures. The UDDR was approved by the Department 12/08/20	C
B50	The Development must register for a 'design' and 'as built' rating under the Infrastructure Council of Australia (ISCA) rating tool for development infrastructure.	ISCA website	The ISCA website demonstrates registration.	C
B51	The Development must be designed and operated to meet minimum 4 star Green Star certification by the Green Building Council of Australia for warehouse design, construction and operation	Interview with auditees 17/03/21	Design is ongoing.	NT
Urban Design and Landscaping				
Urban Design Development Report, Revised Landscape Design Drawings and Revised Architectural Drawings				
B52	Prior to commencement of relevant 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. <i>Note: For the purposes of this condition, earthworks including placement of fill are not considered permanent built surface works.</i>	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20 Site inspection 17/03/21	The UDDR was prepared to address the requirements of CoC B48, B49, B53, B54, B55, B56, B59 – B74. It was approved by the Department on 12/08/20. Construction of permanent built surface works or landscaping has yet to commence.	C
B53	The Urban Design Development Report must be developed in consultation with the Government Architect NSW (GANSW) and provide detailed objectives for design and operation of the development and define place specific urban design principles incorporating those outlined in Conditions B48, B49 and B57 . Details of the consultation are to be submitted as part of the Urban Design Development Report .	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Appendix 4.6). It was approved by the Department on 12/08/20	C
B54	The revised landscape and architectural drawings and design details must be at a suitable scale (minimum plan view scale of 1:1000 at A1 with sections and details at a minimum scale of 1:200 at A1) to demonstrate: <ul style="list-style-type: none"> 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. 	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Appendix 4.2 - 4.3 – Architectural/Landscape Drawing). It was approved by the Department on 12/08/20	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Urban Design and Landscape Independent Peer Review				
B55	An independent peer review report must be submitted with the Urban Design Development Report and Revised Landscape Design Drawings and Revised Architectural Drawings and supporting documentation.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Urban Design and Landscape - Independent Peer Review Report, Matthew Pullinger Architect, 13/12/19 Letter DPIE to SIMTA, 12/08/20	The UDDR included an independent review to address the requirements of this condition (UDDR Appendix 4.5). It was approved by the Department on 12/08/20	C
B56	The review must: <ul style="list-style-type: none"> a) be undertaken by an expert(s) in urban design and landscaping (for example, a member of the State Design Review Panel); b) include an assessment of the Revised Landscape Design Drawings, Revised Architectural Drawings and supporting documentation against the objectives and urban design principles established in the Urban Design Development Report and all relevant conditions, stating whether the drawings demonstrate achievement of the objectives and urban design principles and that all relevant conditions of this consent have been satisfied; and c) include comments justifying conclusions reached in the assessment. <p>Note: <i>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.</i></p>	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Urban Design and Landscape - Independent Peer Review Report, Matthew Pullinger Architect, 13/12/19 Letter DPIE to SIMTA, 12/08/20	The UDDR included an independent review to address the requirements of this condition (UDDR Appendix 4.5). It was approved by the Department on 12/08/20	C
Landscape Design				
B57	The Revised Landscape Design Drawings must demonstrate a design that generally incorporates the principles outlined in <i>Better Placed, Greener Places</i> and the <i>Green Grid</i> documents by the NSW Government Architect and the <i>Western Sydney District Plan</i> (March 2018) by the Greater Sydney Commission, and: <ul style="list-style-type: none"> a) provide for visitor and worker amenity; b) incorporate 'safer by design' principles; c) use locally indigenous species; d) be integrated with the stormwater system design set out in the Revised Stormwater Design Drawings required under Condition B4; and e) mitigate the visual impacts of buildings and infrastructure particularly when viewed from Casula. 	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Appendix 4.3 – Landscape Drawings). It was approved by the Department on 12/08/20	C
Design Criteria				
B58	The Revised Landscape Design Drawings and Revised Architectural Drawings and associated elements must demonstrate a design that meets the design criteria and other requirements listed in Conditions B59 to B74 .	Refer to evidence under CoCs B59 to B74	Refer to findings under CoC B59 to B74	C
Staff and Visitor Facilities				
B59	Pedestrian and cycle paths must: <ul style="list-style-type: none"> a) be provided through the site to provide connections to Moorebank Avenue, the rail terminal office and between warehouses and the freight village; and b) integrate with existing and planned footpaths or cycleways in the locality. 	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Section 3.4 and drawing set PIWW-RCG-AR-DWG-0100-0101, 0110-0113, 0130). It was approved by the Department on 12/08/20	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B60	Paths must be integrated with landscaping and include meanders to allow for canopy tree clusters and a more varied walking/ riding experience.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-GNK-LN-DWG-101-102). It was approved by the Department on 12/08/20	C
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.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0100and 0110-0113, PIWW-GNK-LN-DWG-106). It was approved by the Department on 12/08/20	C
B62	Secure bicycle parking and end-of-trip facilities must provide: <ul style="list-style-type: none"> 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. 	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0100, PIWW-RCG-AR-DWG-0190). It was approved by the Department on 12/08/20	C
Landscaping				
B63	The following minimum setbacks apply: <ul style="list-style-type: none"> 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. 	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Section 3.3, drawing set PIWW-RCG-AR-DWG-0100, PIWW-RCG-AR-DWG-0191, PIWW-GNK-LN-DWG-100-102 and 106). It was approved by the Department on 12/08/20	C
B64	Canopy tree planting must be provided around the perimeter of the site, including the southern fill area where future warehousing is proposed.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Appendix 4.3 – drawing set PIWW-GNK-LN-DWG-101, 102, 104,106-108). It was approved by the Department on 12/08/20	C
B65	The southern fill area where future warehousing is proposed must be topsoiled and hydroseeded with native grasses.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Appendix 4.3– Landscape Drawings). It was approved by the Department on 12/08/20	C
B66	Perimeter fill batters must be stabilised with vegetation.	Revised Development Layout Drawings (PIWW-RCG-AR- DWG) https://simta.com.au/mpw/ Letter DPIE to SIMTA, 29/05/20	The batters around stormwater infrastructure are designed to meet the specifications in CoC B2 which (by extension) meet these requirements.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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: <i>Eucalyptus crebra</i> , <i>Eucalyptus moluccana</i> , <i>Eucalyptus amplifolia</i> , <i>Eucalyptus bosistoana</i> , <i>Eucalyptus eugenioides</i> , <i>Eucalyptus tereticornis</i> , <i>Eucalyptus punctata</i> , <i>Eucalyptus baueriana</i> , <i>Corymbia maculata</i> , <i>Angophora floribunda</i> and <i>Angophora bakeri</i> .	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Appendix 4.3–Landscape Drawings). It was approved by the Department on 12/08/20	C
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 2 m 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.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Section 3.1, Appendix 4.3, drawing set PIWW-GNK-LN-DWG-200/PIWW-RCG-AR-DWG-100-101, PIWW-GNK-LN-DWG-100, 101, 102,104-108, 0110-0113). It was approved by the Department on 12/08/20	C
Noise Walls, Retaining Walls and Fencing				
B69	Perimeter and on-site detention and biofiltration/ bioretention basin fences higher than 1.2m must be transparent and dark in colour but not constructed of chain wire, to provide visual amenity.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Section 3.7) and will continue through detailed design. It was approved by the Department on 12/08/20.	C
B70	Boundary fencing design must allow for fauna movement where required under Condition B152(b) .	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20 Moorebank Precinct West Stage 2 Koala Management Plan (KMP), Cumberland Ecology, 12/03/20 Letter DPIE to SIMTA, 04/05/20 Construction Flora and Fauna Management Plan (CFFMP) Moorebank Precinct West Stage 2, SIMTA, 10/03/20 Letter DPIE to SIMTA, 23/3/20	The UDDR was prepared to address the requirements of CoC B48, B49, B53, B54, B55, B56, B59 – B74. It was approved by the Department on 12/08/20 A KMP was prepared to address the management and movement of koala's post construction. The KMP was approved by the Department on 04/05/20 The CFFMP was prepared to manage impacts on fauna during construction and was approved by the Department on 23/3/20	C
B71	Screen fencing and planting must be provided around waste bins or other outside storage areas.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0110-13). It was approved by the Department on 12/08/20	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B72	Screen planting must be provided on both sides of noise walls.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-GNK-LN-DWG-101, 102, 104, 106-108). It was approved by the Department on 12/08/20	C
B73	Retaining wall materials and colours must be of a natural appearance and incorporate landscaping.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Section 3.7) and will continue through detailed design. It was approved by the Department on 12/08/20.	C
B74	Noise barriers must minimise visual and amenity impacts and be designed in accordance with the <i>Noise wall design guideline – Design guideline to improve the appearance of noise walls in NSW</i> (RMS, March 2016).	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0100-0113 + 0130, PIWW-GNK-LN-DWG-101, 102, 104, 106-108). It was approved by the Department on 12/08/20	C
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.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Section 3.7, drawing set PIWW-GNK-LN-DWG-001, PIWW-GNK-LN-DWG-101-102, PIWW-GNK-LN-DWG-400). It was approved by the Department on 12/08/20.	C
Lighting				
B76	Operational lighting must: a) comply with the latest version of <i>AS 4282-1997 - Control of the obtrusive effects of outdoor lighting</i> (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.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Section 3.8). It was approved by the Department on 12/08/20.	C
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;	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0190). It was approved by the Department on 12/08/20.	C
B78	Signage must not occupy more than 10% of any façade or wall of a building.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0190). It was approved by the Department on 12/08/20.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Building Floor Levels				
B79	Building floor levels must be a minimum of 150 mm above the maximum design stormwater overland flow path levels. Building floor levels and associated maximum design stormwater overland flow path levels to AHD must be indicated on the architectural cross-section drawings.	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Sections 3.1, 3.2.2, 3.4, drawing set PIWW-COS-CV-DWG-0461 & 0465). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	C
Rainwater Re-use				
B80	A rainwater tank(s) must be included on each warehouse, the freight village and rail terminal buildings.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0110-0113). It was approved by the Department on 12/08/20.	C
B81	Rainwater must be used for irrigation, all internal non-potable uses, the container washdown facility and be considered for cooling towers; heating, ventilation, and air conditioning; and ground source heat exchange.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Section 3.9, drawing set PIWW-GNK-LN-DWG-400). It was approved by the Department on 12/08/20.	C
Landscape Maintenance				
B82	Prior to commencement of operation, the Applicant must prepare a Landscape Vegetation Management Plan (LVMP) and submit it to the Planning Secretary for approval. The LVMP must be prepared by a suitably qualified and experienced person(s) and form part of the OEMP required under Condition C5 . The LVMP must include: a) an inspection and maintenance schedule and require replacement plantings for shrubs and trees which fail at an equivalent pot size or larger; and b) graffiti management.	Site inspection 17/03/21	The project is in construction	NT
Pest and Weed Control				
B83	The Applicant must: a) implement measures to manage pests, vermin and declared noxious weeds on the site; and b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area. Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Biosecurity Act 2015.	Georgiou Beacon Reporting / inspection system (multiple records). Weed mark up for subcontractor, 23/02/21 Email Greater west landscapes to Georgiou, 23/02/21.	Weekly site wide weed inspections undertaken. 2 x weed spraying events (end of winter and again in Feb 21).	C
Traffic and Access				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status											
B84	<p>The Applicant is to undertake the following road infrastructure upgrades, in accordance with the specified timing requirements as set out in Table 1.</p> <p>Table 1: Required Upgrades and Specified Timing Requirements</p> <table border="1"> <thead> <tr> <th rowspan="2">Upgrade</th> <th colspan="3">Specified Timing Requirements</th> </tr> <tr> <th>Upgrade requirements</th> <th>Required timing for 100% design approval by RMS</th> <th>Required timing for completion of upgrade</th> </tr> </thead> <tbody> <tr> <td>Moorebank Avenue and Anzac Road intersection upgrades, road widening and road upgrade works, and associated civil works</td> <td>Indicative layout plans (RIUW-ARC-CV-SKC-2003-P1 and RIUW-ARC-CV-SKC-1005-P2) included in Appendix 1, subject to design development and approval by RMS, and incorporating a bicycle/ pedestrian share path</td> <td>To be obtained within 12 months of the date of this consent, or prior to the issue of the first Occupation Certificate for warehousing, whichever is the sooner.</td> <td>Prior to issue of an Occupation Certificate for warehousing in excess of 100,000 m² of gross floor area</td> </tr> </tbody> </table>	Upgrade	Specified Timing Requirements			Upgrade requirements	Required timing for 100% design approval by RMS	Required timing for completion of upgrade	Moorebank Avenue and Anzac Road intersection upgrades, road widening and road upgrade works, and associated civil works	Indicative layout plans (RIUW-ARC-CV-SKC-2003-P1 and RIUW-ARC-CV-SKC-1005-P2) included in Appendix 1 , subject to design development and approval by RMS, and incorporating a bicycle/ pedestrian share path	To be obtained within 12 months of the date of this consent, or prior to the issue of the first Occupation Certificate for warehousing, whichever is the sooner.	Prior to issue of an Occupation Certificate for warehousing in excess of 100,000 m ² of gross floor area	Interview with auditees 17/03/21	Non-compliance: The design has been submitted to TfNSW. They have requested additional information. The design has not been approved within 12 months of the date of consent.	NC
Upgrade	Specified Timing Requirements														
	Upgrade requirements	Required timing for 100% design approval by RMS	Required timing for completion of upgrade												
Moorebank Avenue and Anzac Road intersection upgrades, road widening and road upgrade works, and associated civil works	Indicative layout plans (RIUW-ARC-CV-SKC-2003-P1 and RIUW-ARC-CV-SKC-1005-P2) included in Appendix 1 , subject to design development and approval by RMS, and incorporating a bicycle/ pedestrian share path	To be obtained within 12 months of the date of this consent, or prior to the issue of the first Occupation Certificate for warehousing, whichever is the sooner.	Prior to issue of an Occupation Certificate for warehousing in excess of 100,000 m ² of gross floor area												
B85	The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, must be in accordance with Austroads requirements. Prior to commencement of construction of permanent built surface works, a plan must be submitted to the Planning Secretary and RMS for approval, which shows that the proposed development complies with this requirement.	Site inspection 17/03/21	Permanent built surface works are yet to commence.	NT											
B86	The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements in relation to landscaping and/ or fencing, aisle widths, aisle lengths, and parking bay dimensions) must be in accordance with AS2890.1-2004 <i>Parking facilities Off-street car parking</i> , AS2890.6-2009 <i>Parking facilities Off-street parking for people with disabilities</i> and AS2890.2-2002 <i>Parking facilities Off-street commercial vehicle facilities for heavy vehicle usage</i> .	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 5, July 20, Reid Campbell. Letter DPIE to SIMTA, 12/08/20	The UDDR was prepared to address the requirements of this condition (Section 3.1). It was approved by the Department on 12/08/20.	C											
B87	Existing and future utility and service infrastructure must be located outside the roadway being upgraded. The Applicant is to locate any drainage infrastructure to support the Stage 2 development entirely within the development site and not within the roadway, unless agreed by RMS.	Interview with auditees 17/03/21 Revised Development Layout Drawings (PIWW-RCG-AR-DWG) https://simta.com.au/mpw/ Letter DPIE to SIMTA, 29/05/20	Observation: The Department approved revised Development Layout Drawings under CoC B2 on 29/05/20. The CoC B2 plans demonstrate that these services are <i>within</i> the verge. This information is also within the CoC B84 design that is being assessed by TfNSW. This assessment is ongoing. There is no timing on this requirement on this requirement and design is not complete.	NT											
B88	Road design must incorporate structures for fauna movement between the Georges River riparian corridor and the Boot Land, either under or below the road. Note: See also Condition B2(i) and B152(d)	Interview with auditees 17/03/21 Moorebank Precinct West Stage 2 Koala Management Plan (KMP), Cumberland Ecology, 12/03/20 Letter DPIE to SIMTA, 04/05/20	Observation: The approved KMP (prepared under CoC B152) identifies only a north south movement of fauna (not east-west between the Georges River riparian corridor and the Boot Land as identified by this condition). At this stage the design of the roadways do not incorporate east-west movement of fauna between the Georges River riparian corridor and the Boot Land as required by this condition. Road design is ongoing.	NT											
B89	Heavy vehicles used for haulage of imported fill or freight must not use Cambridge Avenue during construction and operation of the development.	Interview with auditees 17/03/21 Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 Driver's code of conduct (within the CTAMP) Complaints register current to 31/03/21	All movements are to and from M5. There is no need for movements from the south. No complaints received regarding this requirement.	C											

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B90	Access to the ABB site must be maintained throughout construction and operation of the development.	Site inspection 17/03/21 Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 Complaints register current to 31/03/21	Bapaume Ave was observed to be open during the audit. No complaints received regarding this requirement.	C
B91	The Applicant must: a) consult with the owners/occupiers of the ABB site throughout construction and operation; b) provide details of construction works adjacent to the ABB site prior those works occurring; and c) ensure the proposal does not adversely impact overland flow paths or existing stormwater infrastructure on the ABB site.	Consultation record ABB and SIMTA, 27/11 – 04/12/20. Dilapidation Report, MPW S2 Bapaume Road, Craigmar Consulting, 03/09/19 Work notification 05/02/21. Site inspection 17/03/21	The consultation records indicate ongoing consultation and updates on construction works. The works near ABB are self-contained which prevents overland flow to ABB. Note that works in lot 100 are under SSD 5066.	C
B92	The Applicant must ensure that the construction and operation of the proposed development will not prevent the public use of Moorebank Avenue to a standard commensurate to its use prior to the development. <i>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.</i>	Site inspection 17/03/21	Public access on Moorebank Avenue remains consistent with that prior to the project.	C
B93	The development is to be designed and operated so that: a) all vehicles are wholly contained on site before being required to stop; b) adequate parking for heavy vehicles is provided on-site to accommodate any potential delays in schedule time; c) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site; d) all loading and unloading of materials is carried out on-site; and e) site roads accommodate buses, bus infrastructure and cyclist use for employees.	Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 Site inspection 17/03/21 Complaints register current to 31/03/21	The site is such that all these activities are contained to the site. No complaints received regarding this requirement.	C
RMS supplementary requirements				
B94	The civil design and Traffic Control Signal (TCS) plans for the upgrades identified in Table 1 of Condition B84 must be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner. The designs must be in accordance with Austroads Guide to Road Design in association with relevant RMS supplements (available on www.rms.nsw.gov.au). The certified copies of the TCS design and civil design plans must be submitted to RMS for approval before the issue of a Construction Certificate and commencement of road works. RMS fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.	Site inspection 17/03/21 Interview with auditees 17/03/21 Construction Certificate 190359/03 (for roads drainage electrical), dated 10/03/21 Construction Certificate 190359/02 (stormwater and civils), dated 08/02/21 Construction Certificate 190359/01 (for earthworks), dated 01/12/20	Refer response to CoC B84. Road works have yet to commence. Design development with TfNSW ongoing.	NT
B95	All documentation required under Condition B94 must be sent to development.sydney@rms.nsw.gov.au .	Site inspection 17/03/21 Interview with auditees 17/03/21	Refer response to CoC B84. Road works have yet to commence. Design development with TfNSW ongoing.	NT
B96	RMS fees for administration, plan checking, civil works inspections and project management must be paid by the applicant before the commencement of road upgrades identified in Table 1 of Condition B84 .	Site inspection 17/03/21 Interview with auditees 17/03/21	Refer response to CoC B84. Road works have yet to commence. Design development with TfNSW ongoing.	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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 <i>Roads Act 1993</i> 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 <i>Roads Act 1993</i> 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.	Interview with auditees 17/03/21	The design under CoC B84 is yet to be approved. The WAD has yet to be executed. The works have yet to commence.	NT
B98	The Applicant is required to dedicate land as public road for the maintenance of the Traffic Control Signals and associated infrastructure; further details will be included as part of the WAD process.	Interview with auditees 17/03/21	The design under CoC B84 is yet to be approved. The WAD has yet to be executed. The works have yet to commence.	NT
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.	Interview with auditees 17/03/21	The design under CoC B84 is yet to be approved. The WAD has yet to be executed. The works have yet to commence.	NT
B100	All works associated with signposting along Moorebank Avenue must be approved by RMS.	Interview with auditees 17/03/21	The design under CoC B84 is yet to be approved. The WAD has yet to be executed. The works have yet to commence.	NT
B101	The works associated with traffic signals and road upgrade works are to be designed and delivered at no cost to TfNSW or RMS.	Interview with auditees 17/03/21	The design under CoC B84 is yet to be approved. The WAD has yet to be executed. The works have yet to commence.	NT
B102	The Applicant must pay all costs incurred by Council and/ or RMS in relation to public road dedication of Commonwealth owned land.	Interview with auditees 17/03/21	The design under CoC B84 is yet to be approved. The WAD has yet to be executed. The works have yet to commence.	NT
B103	The Applicant is required to negotiate and execute an Interface and Access Deed with RMS and the M5 Operator (Interlink Roads Pty Ltd) prior to road construction works commencing, to address matters including interface between the parties, access provisions, compensation arrangements, and traffic management for the road upgrade works carried out on Lots 3 and 4 in Deposited Plan 1063765.	Interview with auditees 17/03/21	The design under CoC B84 is yet to be approved. The WAD has yet to be executed. The works have yet to commence.	NT
B104	The Applicant is to ensure that the construction and operation of the proposed development will not prevent the ongoing use of Moorebank Avenue as a public road to a standard commensurate to its current use prior to the development. A staging plan should be submitted to RMS for approval, as part of the WAD package, to ensure adequate capacity is provided along Moorebank Avenue at all times, including a requirement to maintain two lanes open to traffic. The staging plan should provide details of how the road and intersection upgrade works tie into other road upgrades works approved under the MPE Stage1 and 2 SSD applications. Any temporary diversion works not located within the Moorebank Avenue roadway will require separate planning approval.	Interview with auditees 17/03/21	The design under CoC B84 is yet to be approved. The WAD has yet to be executed. The works have yet to commence.	NT
B105	There are to be no works undertaken by the Applicant within the RMS (M5 Motorway) land and no impact on RMS drainage infrastructure system or on adjoining Roads and Maritime assets, without the consent of the RMS and M5 Motorway Operator (Interlink).	Interview with auditees 17/03/21	The design under CoC B84 is yet to be approved. The WAD has yet to be executed. The works have yet to commence.	NT
B106	The Applicant is to liaise with and obtain relevant approvals from RMS in relation to any proposed drainage and excavation works, erection of new and/ or maintenance of existing fencing on the M5 Motorway boundary, erection of new noise attenuation infrastructure, and any other construction works that may impact the M5 Motorway corridor. Note: Contact is to be made to Matthew Messina, Commercial Manager Motorway Partnerships and Planning on 02 8588 4119	Interview with auditees 17/03/21	The design under CoC B84 is yet to be approved. The WAD has yet to be executed. The works have yet to commence.	NT
B107	To ensure that Environment, Work Health and Safety laws are fully implemented within and near the M5 Motorway corridor, the Applicant's staff/ contractors must be inducted into the M5 Motorway operator's (Interlink) corridor and fill out a Motorway Access Permit for site activities on or immediately adjoining M5 Motorway land, if work has to be undertaken from the M5 Motorway side. The Applicant may be required to complete a commercial agreement or bank undertaking that sufficiently mitigates the M5 Operator's (Interlink) risk.	Interview with auditees 17/03/21	The design under CoC B84 is yet to be approved. The WAD has yet to be executed. The works have yet to commence.	NT
B108	A Road Occupancy Licence is to be obtained from the Transport Management Centre for any works that may impact on traffic flows on Moorebank Avenue or the adjoining State road network during construction activities.	Interview with auditees 17/03/21	The design under CoC B84 is yet to be approved. The WAD has yet to be executed. The works have yet to commence.	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B109	A construction zone will not be permitted on Moorebank Avenue without the express approval of RMS.	Interview with auditees 17/03/21	The design under CoC B84 is yet to be approved. The WAD has yet to be executed. The works have yet to commence.	NT
B110	Access is denied across the M5 Motorway corridor boundary and all buildings and structures are to be located wholly within the freehold property.	Interview with auditees 17/03/21	The design under CoC B84 is yet to be approved. The WAD has yet to be executed. The works have yet to commence.	NT
B110A	Until operational access to the site is provided (that is, as part of the Moorebank Avenue and Anzac Road intersection upgrades required under condition B84), the Applicant must ensure that the operational access point to the site is via the Chatham Avenue/Moorebank Avenue intersection, or any other alternative as agreed by Transport for NSW in writing. Note: Prior to the occupation of any warehouse on the site, the Applicant must undertake a pre-opening road safety audit of its interim operation site access, and incorporate the corrective actions outlined in that Road Safety Audit, under conditions B112A and B112B.	Site inspection 17/03/21	The Chatham Rd access was sighted.	C
Road Safety Audit				
B111	Prior to commencement of any works, the Applicant must undertake a Road Safety Audit for heavy vehicle movements associated with the importation of fill, for construction vehicle swept paths in and out of the development site via the proposed construction access points along Moorebank Avenue, and for motorists and construction vehicle movements along Moorebank Avenue during the staged road upgrade works identified in Table 1 . The Road Safety Audit must be prepared by an independent TfNSW accredited road safety auditor in accordance with the relevant Austroads guidelines to identify any safety issues. The Road Safety Audit must consider road safety issues for the proposed construction access arrangements and affected vehicle movements.	Road Safety Audit, Arrb6c, 19/07/20	The Road Safety Audit identifies the requirements from this condition, being for heavy vehicle movements, vehicle swept paths and for motorists and construction vehicle movements. It was prepared by a suitably qualified person and considers road safety issues.	C
B112	The Applicant must recommend corrective actions for the identified safety issues and propose appropriate traffic management measures outlined in the Road Safety Audit (i.e., temporary traffic signals and other traffic management measures) in consultation and with the approval of the relevant road authority. Details on the proposed traffic management measures must be submitted to the Planning Secretary, TfNSW and RMS.	Site inspection 17/03/21 Road Safety Audit, Arrb6c, 19/07/20 Email chain, SIMTA and DPIE 15/10/20	Observation: The Road Safety Audit identified a finding in relation to light signal phasing for pedestrian movements at Chatham Ave. There were no actions in relation to heavy vehicle movements, vehicle swept paths and for motorists and construction vehicle movements. The Road Safety Audit was submitted to the Department. There is no evidence available to demonstrate that the Road Safety Audit (or the proposed traffic management measures) were submitted to TfNSW.	C
B112A	Prior to occupation of any warehouse on the site, the Applicant must undertake a pre-opening Road Safety Audit for heavy vehicle movements associated with operation in and out of the development site via the operational access point to the site, and for motorists and construction vehicle movements along Moorebank Avenue. The Road Safety Audit must be prepared by an independent TfNSW accredited road safety auditor in accordance with the relevant Austroads guidelines and TfNSW's Guidelines for Road Safety Audit Practices to identify any safety issues. The Road Safety Audit must consider road safety issues for the proposed operational access arrangements and affected vehicle movements. Note: In accordance with condition B110A, the operational access point to the site is via the Chatham Avenue/Moorebank Avenue intersection, or any other alternative as agreed by Transport for NSW in writing	Site inspection 17/03/21	Occupation has not commenced. The project is in construction.	NT
B112B	Prior to occupation of any warehouse on the site, the Applicant must incorporate the corrective actions outlined in the pre-opening Road Safety Audit required under condition B112A in consultation with and with the prior approval of the relevant road authority. Details on the proposed corrective actions must be submitted to the Planning Secretary and TfNSW.	Site inspection 17/03/21	Occupation has not commenced. The project is in construction.	NT
B112C	The Road Safety Audit required by condition B112A is not required if the applicant has completed the Moorebank Avenue and Anzac Road intersection upgrades required under condition B84 prior to occupation of any warehouse on the site.	Site inspection 17/03/21	Occupation has not commenced. The project is in construction. Refer also response to CoC B84.	NT
Construction Traffic and Access Management Plan				
B113	Prior to commencement of construction, the Applicant must prepare a Construction Traffic and Access Plan (CTAMP) and submit it to the Planning Secretary for approval. The CTAMP must be prepared by a suitably qualified and experienced person(s) in consultation with Council, and must be endorsed by TfNSW and RMS.	Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 Letter DPIE to SIMTA, 23/04/20	The CTAMP was prepared in accordance with this condition (Section 1.4, Appendix B). The Department approved the CTAMP on 23/04/20, which was prior to construction.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B114	The CTAMP must form part of the GEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1 , the CEMP must: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> i. origin of imported fill, ii. destination of demolition material and spoil, 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 oversized vehicles; c) access and parking arrangements; and d) detail procedures for notifying residents and the community of any potential traffic disruptions. 	Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 Letter DPIE to SIMTA, 23/04/20	The CTAMP was prepared in accordance with CoC C1 and this condition: <ul style="list-style-type: none"> a) Section 3.3 b) Section 3.2 c) Section 3.2 d) Section 3.4. The Department approved the CTAMP on 23/04/20.	C
B115	Two lanes (one in each direction) of traffic on Moorebank Avenue must be available at all times during construction, unless otherwise approved by RMS.	Site inspection 17/03/21 Site inspections from audits completed on SSD 5066 (14/02/20 and 25/11/20). Interview with auditees 19/03/21 Complaints register current to 31/03/21	There have been no road closures (full or part) of Moorebank Ave under SSD 7709. No issues observed. No complaints received regarding this requirement.	C
B116	All construction vehicles must be contained wholly within the site and vehicles must enter the site before stopping.	Site inspection 17/03/21 Site inspections from audits completed on SSD 5066 (14/02/20 and 25/11/20). Complaints register current to 31/03/21	All vehicles are able to enter the site prior to stopping. Chatham Avenue set up enables for this for LV and HV vehicles. BMD access is for light vehicles only. No issues observed. No complaints received regarding this requirement.	C
B117	All vehicles must enter and leave the site in a forward direction.	Site inspection 17/03/21 Site inspections from audits completed on SSD 5066 (14/02/20 and 25/11/20).	All vehicles are able to enter and leave the site in a forward direction. Chatham Avenue set up enables for this for LV and HV vehicles. BMD access is for light vehicles only. No issues observed	C
Operational Traffic and Access Management Plan				
B118	Prior to commencement of operation, the Applicant must prepare an Operational Traffic and Access Management Plan (OTAMP) and submit it to the Planning Secretary for approval. The OTAMP must be prepared by a suitably qualified and experienced person(s) in consultation with Council(s), TfNSW and RMS.	Site inspection 17/03/21	The project is in construction	NT
B119	The OTAMP must form part of the OEMP and, in addition to the general management plan requirements listed in Conditions C5 and C6 , the OTAMP must: <ul style="list-style-type: none"> a) detail numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation; b) detail access arrangements for the site to ensure road and site safety, and demonstrate there will be no queuing on the road network; c) detail measures to ensure turning areas and internal access roads are kept clear of any obstacles, including parked cars, at all times; and d) set out a framework and procedures for data collection required to prepare the Biannual Trip Origin and Destination Report required under Condition B120 including a main gate monitoring system (e.g. CCTV) to identify heavy vehicles turning right from the terminal site onto Moorebank Avenue, or turning left from Moorebank Avenue to the terminal site. 	Site inspection 17/03/21	The project is in construction	NT
Biannual Trip Origin and Destination Report				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B120	<p>Each six months following commencement of operation, the Applicant must prepare a Biannual Trip Origin and Destination Report (in a format agreed with TfNSW and RMS) that advises:</p> <ul style="list-style-type: none"> a) the total number of actual and standard twenty foot equivalent shipping containers despatched and received during the period; b) the number of actual and standard twenty foot equivalent shipping containers transported to and from the site by rail during the period; c) actual hours of operation for the truck gate listing days and hours of operation; d) records of vehicle numbers accessing the site including a record of heavy vehicle entry by date and approximate time; e) direction of travel into and out of the site for light vehicle on a representative day; and f) representative vehicle origins and destinations of all classes of vehicles and covering the intermodal terminal, the warehousing facility and any other uses such as the freight village. <p>A copy of the report required under Condition B120 is to be submitted to the Planning Secretary, TfNSW and RMS within one month of its preparation.</p>	Site inspection 17/03/21	The project is in construction	NT
B120A	<p>A Traffic Audit of the development must be undertaken within 90 days of each of the trigger events identified in B120B, by an independent qualified person(s) approved by the Planning Secretary prior to the commencement of the Traffic Audit. The Traffic Audit must include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> (a) verification of actual traffic movements against condition A15A; (b) assessment of the traffic performance of the project against the predictions made in EIS, RtS and consolidated assessment clarification responses; (c) consideration of the results of the traffic monitoring during a representative period nominated by the auditor; (d) review of compliance with the approved access routes and performance measures prescribed under this consent; (e) consideration of any traffic-related issues raised by TfNSW and Council; and (f) findings and recommendations with respect to the traffic performance of the project and any additional measures that may be required to manage traffic associated with the project. <p>Note: In accordance with condition B110A, the operational access point to the site is via the Chatham Avenue/Moorebank Avenue intersection, or any other alternative as agreed by Transport for NSW in writing.</p>	Site inspection 17/03/21	The project is in construction	NT
B120B	<p>Traffic Audits under condition B120A are required to be undertaken within 90 days of the following trigger events:</p> <ul style="list-style-type: none"> (a) the MPW Stage 2 daily heavy vehicle movements reaching 1,000 heavy vehicle movements for the first time, (b) annual container freight throughput on the MPW Stage 2 site reaching each of the following: 50,000 TEU, 250,000 TEU and 500,000 TEU, (c) as may be directed by the Planning Secretary from time-to time. 	Site inspection 17/03/21	The project is in construction	NT
B120C	<p>Within 28 days of conducting the Traffic Audit referred to under condition B120A of this consent, the Applicant must provide the Planning Secretary with a copy of the Traffic Audit report. If the Traffic Audit report identifies non-compliance with condition A15A, or with traffic predictions, approved access routes, or performance measures, the Applicant must detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Planning Secretary.</p> <p>Notwithstanding the above, nothing permits the Applicant to exceed the traffic movements specified in condition A15A at any time and any non-compliance with condition A15A is a breach of this consent.</p>	Site inspection 17/03/21	The project is in construction	NT
B120D	<p>Following consideration of the outcomes of the Traffic Audit and the Traffic Audit report referred to under conditions B120A and B120C of this consent, the Planning Secretary may require the Applicant to implement additional traffic mitigation, monitoring or management measures to address traffic impacts associated with the project. The Planning Secretary may require any or all of the measures identified in the Traffic Audit report, or other measures considered appropriate by the Planning Secretary (including additional local area traffic management measures or on-site traffic management controls) to be implemented. The Applicant must implement the measures required by the Planning Secretary within such period as the Planning Secretary may specify.</p>	Site inspection 17/03/21	The project is in construction	NT
Workplace Travel				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status								
B121	<p>Prior to the issue of any Occupation Certificate, the Applicant must prepare a specific Workplace Travel Plan and submit it to the Planning Secretary for information. The Workplace Travel Plan must be developed in consultation with TfNSW and outline facilities and measures to promote public transport usage, including:</p> <ul style="list-style-type: none"> a) peak period and shift work responsive express buses to/ from the site and Liverpool Station via Moorebank Avenue and Newbridge Roads with frequency dependent on the development of the site; b) peak period express buses to/ from the site and Holsworthy rail station via Anzac Road, Wattle Grove Drive 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. 	Site inspection 17/03/21	The project is in construction	NT								
B122	The Applicant must provide an annual report on employee numbers to the Department, TfNSW and RMS, commencing one year after commencement of operation of the IMT facility and for up to 5 years from occupation of the final warehouse building.	Site inspection 17/03/21	The project is in construction	NT								
B123	The Applicant and each occupant/operator must implement the most recent version of the Workplace Travel Plan for the duration of the development.	Site inspection 17/03/21	The project is in construction	NT								
Driver Code of Conduct												
B124	<p>The Applicant must prepare and submit a Driver Code of Conduct to the Secretary which includes the following measures to minimise impacts:</p> <ul style="list-style-type: none"> 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. 	<p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20</p> <p>Letter DPIE to SIMTA, 23/04/20</p> <p>CTAMP Appendix C</p>	<p>The Drivers Code of Conduct is within Appendix C of the CTAMP.</p> <p>Observation: The Code of Conduct, part of the approved CTAMP, identifies extended hours for deliveries beyond the approved construction hours.</p>	C								
Noise and Vibration												
Construction Hours of Work												
B125	<p>The Applicant must comply with the hours detailed in Table 2.</p> <p>Table 2: Hours of Work</p> <table border="1" data-bbox="371 1339 1240 1423"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Construction</td> <td>Monday – Friday</td> <td>7 am to 6 pm</td> </tr> <tr> <td>Saturday</td> <td>8 am to 1 pm</td> </tr> </tbody> </table>	Activity	Day	Time	Construction	Monday – Friday	7 am to 6 pm	Saturday	8 am to 1 pm	<p>Construction Environmental Management Plan (CEMP) Moorebank Precinct West Stage 2, SIMTA, 14/01/20</p> <p>Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 29/01/20</p> <p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20</p> <p>Moorebank Precinct Face to Face Induction</p> <p>Georgiou TBT 22/01/21, 08/09/20.</p> <p>Complaints register current to 28/02/21</p> <p>Interview with auditees 17/03/21 and 19/03/21</p>	<p>Project hours are within the project documentation and communicated to the workforce. No OOHW has occurred for SSD 7709.</p> <p>Complaints regarding noise during OOH periods were not attributable to SSD 7709.</p> <p>Note that there were OOHW for SSD 5066. Refer to Independent Audit Report, Moorebank Precinct West Stage 1 (SSD 5066), WolfPeak, 02/02/21 for details.</p>	C
Activity	Day	Time										
Construction	Monday – Friday	7 am to 6 pm										
	Saturday	8 am to 1 pm										

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status												
B126	<p>Except as permitted by an EPL, activities resulting in highly noise intensive works (including impulsive or tonal noise emissions) must only be undertaken:</p> <ul style="list-style-type: none"> a) between the hours of 8:00 am to 5:00 pm Monday to Friday; b) between the hours of 8:00 am to 1:00 pm Saturday; and c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block. <p>Note 1: For the purposes of this condition, 'continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work that is the subject of this condition.</p> <p>Note 2: Section 4.42(1)(e) of the EP&A Act requires that an EPL be substantially consistent with this approval. Out-of-hours works considered under Condition B127 must be justified and include an assessment of mitigation measures.</p>	<p>Interview with auditees 19/03/21</p> <p>Site inspection 17/03/21</p> <p>Moorebank Precinct West Stage 2 Standard hours construction noise survey, Renzo Tonin, 12/02/21</p> <p>Continuous noise monitoring data NMT04 1022020 – 1032021</p>	<p>There is no need for highly noise intensive works for SSD 7709. The project is essentially import of fill, levelling and compaction, investigation and remediation of soils, heritage salvage and vegetation clearing. The site is predominantly soils.</p> <p>Some hammering was required for the construction of the east west channel, running across the site, however these works are conducted under SSD 7628.</p>	NT												
B127	<p>Construction outside of the hours identified in Condition B125 may be undertaken in any of the following circumstances:</p> <ul style="list-style-type: none"> a) works that are inaudible at the nearest sensitive receivers; b) where a negotiated agreement has been arranged with affected receivers; c) works agreed to in writing by the Planning Secretary; d) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; e) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm; or f) where they are undertaken in accordance with an Out-Of-Hours Work Protocol under Condition B135. 	<p>Interviews with auditees 19/03/21</p>	<p>No OOHW has occurred for SSD 7709.</p> <p>Complaints regarding noise during OOH periods were not attributable to SSD 7709.</p> <p>Note that there were OOHW for SSD 5066. Refer to Independent Audit Report, Moorebank Precinct West Stage 1 (SSD 5066), WolfPeak, 02/02/21 for details.</p>	NT												
B128	<p>Blasting is not permitted on the site.</p>	<p>Site inspection 17/03/21</p> <p>Interview with auditees 19/03/21</p>	<p>There is no need for blasting on the project.</p>	C												
Noise Wall																
B129	<p>Prior to the commencement of operation of any part of the development, the Applicant must construct a 5 m high noise wall along the entire length of the western internal road as shown in Appendix 1 (as detailed in the EIS and RtS Noise and Vibration Impact Assessment modelling).</p>	<p>Site inspection 17/03/21</p>	<p>The project is in construction</p>	NT												
Hours of Operation																
B130	<p>The permitted hours of operation are detailed in Table 3.</p> <p>Table 3: Hours of Operation</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td>Intermodal terminal facility including rail link connection</td> <td>Monday – Sunday</td> <td>24 hours</td> </tr> <tr> <td>Warehouses</td> <td>Monday – Sunday</td> <td>24 hours</td> </tr> <tr> <td>Freight village</td> <td>Monday – Sunday</td> <td>7 am to 6 pm</td> </tr> </tbody> </table>	Activity	Day	Time	Intermodal terminal facility including rail link connection	Monday – Sunday	24 hours	Warehouses	Monday – Sunday	24 hours	Freight village	Monday – Sunday	7 am to 6 pm	<p>Site inspection 17/03/21</p>	<p>The project is in construction</p>	NT
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Intermodal Terminal Operational Noise Limits																

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status																									
B131	<p>The Applicant must ensure that the noise generated by the development must not exceed the noise limits in Table 4 which are generated by the overall precinct operations (defined as all activities approved for MPW and MPE) does not exceed the noise limits in Table 4.</p> <p>Table 4: Operational Noise Limits dB(A)</p> <table border="1" data-bbox="379 457 1299 848"> <thead> <tr> <th>Location (residential receivers)</th> <th>Day L_{Aeq}, 15 minute</th> <th>Evening L_{Aeq}, 15 minute</th> <th>Night L_{Aeq}, 15 minute</th> <th>Night L_{A1}, 1 minute</th> </tr> </thead> <tbody> <tr> <td>Casula</td> <td>39 dB 46 dB</td> <td>35 dB 44 dB</td> <td>35 dB 39 dB</td> <td>52 dB</td> </tr> <tr> <td>Glenfield</td> <td>35 dB 49 dB</td> <td>35 dB 46 dB</td> <td>35 dB 42 dB</td> <td>52 dB</td> </tr> <tr> <td>Wattle Grove</td> <td>36 dB 44 dB</td> <td>35 dB 42 dB</td> <td>35 dB 42 dB</td> <td>52 dB</td> </tr> <tr> <td>Wattle Grove North</td> <td>41 dB</td> <td>41 dB</td> <td>41 dB</td> <td>52 dB</td> </tr> </tbody> </table> <p>Notes: To determine compliance with the L_{Aeq}, 15 minute noise limits, noise from the development is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 m of a dwelling where the dwelling is more than 30 m from the boundary. Where it can be demonstrated that direct measurement of noise from the project is impractical, the EPA may accept alternative means of determining compliance (see Chapter 7 of the NPI). The modification factors in Fact Sheet C of NPI must also be applied to the measured noise levels where applicable.</p> <p>To determine compliance with the L_{A1}, 1 minute noise limits, noise from the project is to be measured at 1 m from the dwelling façade. Where it can be demonstrated that direct measurement of noise from the project is impractical, the EPA may accept alternative means of determining compliance (see Chapter 7 of the NPI).</p> <p>The noise emission limits identified above apply under meteorological conditions of:</p> <ol style="list-style-type: none"> wind speeds of up to 3 m/s at 10 m above ground level; or 'F' atmospheric stability class. 	Location (residential receivers)	Day L _{Aeq} , 15 minute	Evening L _{Aeq} , 15 minute	Night L _{Aeq} , 15 minute	Night L _{A1} , 1 minute	Casula	39 dB 46 dB	35 dB 44 dB	35 dB 39 dB	52 dB	Glenfield	35 dB 49 dB	35 dB 46 dB	35 dB 42 dB	52 dB	Wattle Grove	36 dB 44 dB	35 dB 42 dB	35 dB 42 dB	52 dB	Wattle Grove North	41 dB	41 dB	41 dB	52 dB	Site inspection 17/03/21	The project is in construction	NT
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Operation of Rail Terminal, Locomotives and Wagons																													
B132	<p>Terminal and rail port shuttle operations must comply with the following:</p> <ol style="list-style-type: none"> best practice plant for the intermodal terminal facility, including electronic automated container handling equipment or equipment with equivalent sound power levels; locomotives using the development must meet the air emissions standards and noise requirements as specified in the Moorebank Precinct East – Stage 1 Project: Best Practice Review (SSD 12_6766), prepared by Arcadis dated 19 September 2017); wagons using the development must incorporate available best practice noise technologies, such as “one-piece” freight bogies or three-piece freight bogies fitted with cross-bracing or steering arms; and permanently coupled ‘multi-pack’ steering wagons using Electronically Controlled Pneumatic (ECP) braking with a wire based distributed power system (or better practice technology); automatic rail lubrication equipment must be used in accordance with ASA Standard T HR TR 00111 ST Rail Lubrication and top of rail friction modifiers, where required; and 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. 	Site inspection 17/03/21	The project is in construction	NT																									
B133	<p>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.</p>	Site inspection 17/03/21	The project is in construction	NT																									
Construction Noise and Vibration Management Plan																													

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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).	Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 29/01/20 Letter DPIE to SIMTA, 07/02/20	The CNVMP was prepared to address this condition. The CNVMP was approved by the Department prior to construction.	C
B135	The CNVMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1 , the CNVMP must include: <ul style="list-style-type: none"> 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; <i>Note: The ICNG identifies 'particularly annoying' activities that require the addition of 5dB(A) to the predicted level before comparing to the construction NML.</i> 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: <ul style="list-style-type: none"> 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. 	Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 29/01/20 Letter DPIE to SIMTA, 07/02/20	The CNVMP was prepared to address CoC C1 and this condition: <ul style="list-style-type: none"> a) Figure 3 b) Section 4.4.3; Table 30 c) Section 2.3.1 d) Section 4.2, 4.3.1, 4.3.2 e) Section 4.4.4, Table 30 f) Sections 4.5, 4.6, Tables 34, 36 g) Section 4.4.1.2m Appendix A The CNVMP was approved by the Department on 07/02/20.	C
Operational Noise Management Plan				
B136	Prior to commencement of operation, the Applicant must prepare an Operational Noise Management Plan (ONMP) and submit it to the Planning Secretary for approval. The ONMP must be prepared by a suitably qualified and experienced person(s).	Site inspection 17/03/21	The project is in construction	NT
B137	The ONMP must for part of the OEMP and, in addition to the general management plan requirements listed in Conditions C5 and C6 , the ONMP must include monitoring and reporting as required under Conditions B139, B140 and B141 .	Site inspection 17/03/21	The project is in construction	NT
Mechanical Plant and Other Noisy Equipment Monitoring				
B138	Prior to construction of the freight terminal, freight village and each warehouse, the Applicant must submit to the Secretary a Noise Assessment for Mechanical Plant and other noisy equipment to demonstrate that plant and equipment has been selected to meet the overall noise limits specified in Table 4 .	Site inspection 17/03/21	The construction of freight terminal, freight village and each warehouse has yet to commence.	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B139	The Applicant must carry out noise monitoring of mechanical plant and other noisy equipment for a minimum period of one week where valid data is collected following operation/ occupation of the freight terminal, freight village and each warehouse. The monitoring program must be carried out by a suitably qualified and experienced person(s) and a Monitoring Report for Mechanical Plant must be submitted to the Planning Secretary within two months of operation of the freight terminal and occupation of each tenancy to verify predicted mechanical plant and equipment noise levels.	Site inspection 17/03/21	The project is in construction	NT
Site Noise Monitoring and Reporting				
B140	<p>Within 12 months of operation of the intermodal terminal facility; occupation of the first warehouse, 50% occupation of the site and 100% occupation of the site, or as otherwise agreed by the Planning Secretary, the Applicant must undertake Operational Noise Monitoring to compare actual noise performance of the project against predicted noise performance and prepare an Operational Noise Report to document this monitoring. The Report must include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) noise monitoring to assess compliance with the predicted operational noise levels and the noise limits specified in Table 4; b) a validation by predictive modelling of the operational noise levels in terms of criteria and noise goals established in the Road Noise Policy (RNP, EPA, 2001); c) sleep disturbance impacts compared to those determined in documents specified under Condition A3; d) impacts associated with annoying characteristics such as prominent tonal components, impulsiveness, intermittency, irregularity and dominant low-frequency content; e) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which project noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers; f) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and heavy vehicle proportions; g) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of all feasible and reasonable mitigation measures; h) identification of additional measures to those predicted in the documents specified under Condition A3, that would be implemented with the objective of meeting the criteria outlined in the RNP and NPI (EPA, 2017), including timing of implementation; i) details of any complaints and enquiries received in relation to operational noise generated by the project between the date of commencement of operation and the date the report was prepared; and j) procedures for the management of operational noise and vibration complaints. <p>The Operational Noise Report is to be verified by a suitably qualified and experienced noise and vibration expert.</p> <p>The Operational Noise Report must be submitted to the Planning Secretary and the EPA within 60 days of completing the operational noise monitoring referred to in (a) above or as otherwise agreed by the Planning Secretary.</p>	Site inspection 17/03/21	The project is in construction	NT
Rail Noise Monitoring and Reporting				
B141	<p>The Applicant must install and maintain a rail noise monitoring system on the rail link at the commencement of operation to continuously monitor the noise from rail operations on the rail link. The system must capture the noise from each individual train passby noise generation event, and include information to identify:</p> <ul style="list-style-type: none"> a) time and date of freight train passbys; b) imagery or video to enable identification of the rolling stock during the day and night; c) LAeq(15hour) and LAeq(9hour) from rail operations; and d) LAF(max) and SEL of individual train passbys, measured in accordance with ISO3095; or e) other alternative information as agreed with, or required by, the Planning Secretary. <p>The results from the noise monitoring system, must be publicly accessible from a website maintained by the Applicant. The noise results from each train must be available as live data on the website, unless unforeseen circumstances (i.e., a system malfunction) have occurred. The LAeq(15hour) and LAeq(9hr) results from each day must be available on the website within 1 hour of the period ending.</p>	Site inspection 17/03/21	The project is in construction	NT
B142	Prior to the commencement of operation, the Applicant must submit to the Planning Secretary for approval, justification supporting the appropriateness of the location for rail noise monitoring , including details of any alternative options considered and reasons for these being dismissed. The noise monitoring location(s) must be west of the MPW Stage 2 connection to the rail link constructed under MPE Stage 1.	Site inspection 17/03/21	The project is in construction	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B143	<p>From the commencement of operation, the Applicant must provide an annual Rail Noise Monitoring Report to the Planning Secretary for a period of 5 years, or as otherwise agreed with the Planning Secretary. The Planning Secretary shall consider the need for further reporting following a review of the results for year 5.</p> <p><i>Note: the above rail noise monitoring and reporting conditions may be satisfied by the implementation of relevant monitoring and reporting conditions under the MPE Stage 1 consent.</i></p>	Site inspection 17/03/21	The project is in construction	NT
Heritage				
Aboriginal Studies				
B144	A Salvage Strategy must be developed in consultation with OEH and with relevant Registered Aboriginal Parties prior to any impacts on Aboriginal objects and sites.	MPWS2 Aboriginal Archaeological Salvage Strategy, Artefact, 14/01/20	The Strategy was prepared prior to works under SSD 7709 and the consultation records are included in the document.	C
B145	The scar tree portions of Aboriginal sites MA6 & MA7 are to be removed by a qualified arborist and relocated to a suitable area identified in consultation with Registered Aboriginal Parties.	Care Agreement Heritage NSW, 07/09/20	The Care Agreement, prepared by Heritage NSW, identifies the process that was executed for the removal and storage of the scar tree portions and the consultation undertaken, as well as the long-term storage.	C
B146	<p>Staged salvage excavation of selected areas should be conducted in consultation with Registered Aboriginal Parties. These stages include:</p> <ul style="list-style-type: none"> 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. 	<p>MPWS2 Aboriginal Archaeological Salvage Strategy, Artefact, 14/01/20</p> <p>MA10 and MA14 Clearance Report, Biosis, 16/10/20</p>	The Salvage Strategy was prepared in consultation with the RAPs. The Biosis Clearance Report confirms completion of salvage in accordance with the Salvage Strategy. Staged salvage of MA10 and part of MA14 (note part of the MA14 is within the biobanking area and remains undisturbed).	C
B147	Following completion of salvage, the Applicant must prepare an Aboriginal Cultural Heritage Salvage Report in accordance with any guidelines and standards or OEH requirements. The report must include details of any archival recording, further archaeological research either undertaken or to be carried out, and archaeological excavations (with artefact analysis and identification of a final repository for finds) and be submitted to the Planning Secretary, OEH, relevant Council(s) and Registered Aboriginal Parties, where relevant, for information within 12 months after the completion of salvage works.	<p>MPWS2 Aboriginal Archaeological Salvage Strategy, Artefact, 14/01/20</p> <p>MA10 and MA14 Clearance Report, Biosis, 16/10/20</p>	This needs to be completed by late 2021.	NT
Aboriginal Items or Objects				
B148	<p>If any Aboriginal object of Aboriginal place is identified on site, or suspected to be on site (other than those identified in the EIS):</p> <ul style="list-style-type: none"> 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. 	<p>Interview with auditees 19/03/21</p> <p>Aboriginal Cultural Heritage Management Plan, 15/07/20, Artefact</p> <p>Letter DPIE to SIMTA, 20/10/20</p>	<p>1 x unexpected find has occurred on SSD 7709 (occurred on 14/05/20).</p> <p>An Aboriginal Cultural Heritage Management Plan was prepared in consultation with RAPs and was approved by the Department. The Plan identifies that the object was protected and notified in accordance with this condition.</p>	C
B149	<p>Work in the immediate vicinity may only recommence if:</p> <ul style="list-style-type: none"> 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. 	<p>Interview with auditees 19/03/21</p> <p>Aboriginal Cultural Heritage Management Plan, 15/07/20, Artefact</p> <p>Letter DPIE to SIMTA, 20/10/20</p>	<p>1 x unexpected find has occurred on SSD 7709 (occurred on 14/05/20).</p> <p>An Aboriginal Cultural Heritage Management Plan was prepared in consultation with RAPs and was approved by the Department. The Plan identifies that the object was protected and notified in accordance with this condition.</p>	C
Non-indigenous Heritage				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B150	<p>If any unexpected archaeological relics are uncovered:</p> <ul style="list-style-type: none"> 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. 	Interview with auditees 19/03/21	There have no finds on SSD 709 to date.	NT
B151	Work in the immediate vicinity of the find may only recommence on the advice of the project archaeologist.	Interview with auditees 19/03/21	There have no finds on SSD 709 to date.	NT
Biodiversity				
B152	<p>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:</p> <ul style="list-style-type: none"> a) make reference to <i>A review of koala tree use across New South Wales</i> (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. 	<p>Moorebank Precinct West Stage 2 Koala Management Plan (KMP), Cumberland Ecology, 12/03/20</p> <p>Letter DPIE to SIMTA, 04/05/20</p> <p>Works letter, Kingfisher, 02/12/20</p> <p>CoC B154 Clearing Permit, Georgio, no date</p> <p>Post Clearing Report, Narla, February 2021</p> <p>Ecological Consultants Australia report, 23/02/21</p> <p>Nearmap review (2020 – 2021)</p>	<p>A KMP was prepared by qualified ecologists to satisfy this condition:</p> <ul style="list-style-type: none"> a) Sections 2.7, 4.1, 7.1, 7.2, 7.3 b) Section 7.4 c) Section 7.2.1 d) Sections 7.4, 8.3.5 e) Sections 7.2.1, 7.2.2, 7.2.3, 8.3.5 f) Sections 8.3.1 - 8.3.6 <p>The KMP was approved by the Department on 04/05/20.</p> <p>The clearing reports and nearmap aerial photos indicate that clearing occurred after the date of approval of the KMP.</p>	C
Construction Flora and Fauna Management				
B153	<p>The Applicant must:</p> <ul style="list-style-type: none"> 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. 	<p>Site inspections from audits completed on SSD 5066 (14/02/20 and 25/11/20).</p> <p>GIS overlay, prepared 12/03/21</p>	<p>Exclusion fencing was sighted during inspections on previous audits on SSD 5066.</p> <p>The GIS overlay sighted indicates the total amount cleared was 42.593ha.</p>	C
B154	<p>Prior to clearing of native vegetation, the Applicant must prepare a Construction Flora and Fauna Management Plan (CFFMP) and submit it to the Planning Secretary for approval. The CFFMP must be developed in consultation with OEH.</p>	<p>Construction Flora and Fauna Management Plan (CFFMP) Moorebank Precinct West Stage 2, SIMTA, 10/03/20</p> <p>Letter DPIE to SIMTA, 23/3/20</p> <p>Works letter, Kingfisher, 02/12/20</p> <p>CoC B154 Clearing Permit, Georgio, no date</p> <p>Post Clearing Report, Narla, February 2021</p> <p>Ecological Consultants Australia report, 23/02/21</p>	<p>The CFFMP was prepared to satisfy this condition (section 1.4) and was approved by the Department on 23/3/20.</p> <p>The clearing reports and nearmap aerial photos indicate that clearing occurred after the date of approval of the CFFMP.</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status																																											
B155	<p>The CFFMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1, the CFFMP must include the following:</p> <ul style="list-style-type: none"> 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. <p>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.</p>	<p>Construction Flora and Fauna Management Plan (CFFMP) Moorebank Precinct West Stage 2, SIMTA, 10/03/20</p> <p>Letter DPIE to SIMTA, 23/3/20</p>	<p>The CFFMP was prepared to satisfy CoC C1 and this condition:</p> <ul style="list-style-type: none"> a) Section 3.3 b) Section 3.3 c) Section 3.3, Appendix B <p>The CFFMP was approved by the Department on 23/3/20.</p>	C																																											
B156	<p>Prior to removing/ clearing any vegetation or any demolition, pre-clearing surveys and inspections for threatened species, populations and ecological communities must be undertaken. The surveys and inspections, and any subsequent relocation of species and associated management measures, must be undertaken under the guidance of a suitably qualified and experienced ecologist.</p>	<p>Works letter, Kingfisher, 02/12/20</p> <p>CoC B154 Clearing Permit, Georgio, no date</p> <p>Post Clearing Report, Narla, February 2021</p> <p>Ecological Consultants Australia report, 23/02/21</p>	<p>The ecologists completed pre-clearance surveys (and attended clearing works) and the report indicates that the relevant controls are being followed.</p>	C																																											
B157	<p>Prior to any impact on the species to be offset, the Applicant must retire biodiversity credits specified in Table 5 and Table 6. The retirement of credits must be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects (OEH 2014)</i>.</p> <p>Table 5: Ecosystem credit requirements</p> <table border="1"> <thead> <tr> <th>Site</th> <th>Plant community type</th> <th>Area to be impacted</th> <th>Credits required</th> </tr> </thead> <tbody> <tr> <td>MPW Stage 2 (excluding Moorebank Avenue site)</td> <td>Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin (ME003)</td> <td>9.81 ha</td> <td>371</td> </tr> <tr> <td>MPE Stage 2 (excluding Moorebank Avenue site)</td> <td>Parramatta Red Gum woodland on moist alluvium of the Cumberland Plain, Sydney Basin (ME005)</td> <td>0.46 ha</td> <td>15</td> </tr> <tr> <td>MPE Stage 2 (excluding Moorebank Avenue site)</td> <td>Forest Red Gum – Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin (ME018)</td> <td>27.88 ha</td> <td>1,290</td> </tr> <tr> <td>Moorebank Avenue site</td> <td>Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin (ME003)</td> <td>3.75 ha</td> <td>140</td> </tr> <tr> <td>Moorebank Avenue site</td> <td>Parramatta Red Gum woodland on moist alluvium of the Cumberland Plain, Sydney Basin (ME005)</td> <td>0.22 ha</td> <td>7</td> </tr> <tr> <td>Moorebank Avenue site</td> <td>Forest Red Gum – Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney (ME018)</td> <td>0.59 ha</td> <td>19</td> </tr> </tbody> </table> <p>Table 6: Species credit requirements</p> <table border="1"> <thead> <tr> <th>Species</th> <th>Impacted individuals/ area to be impacted</th> <th>Credits required</th> </tr> </thead> <tbody> <tr> <td>Nodding Geebung (<i>Perosonia nutans</i>)</td> <td>16</td> <td>1,232</td> </tr> <tr> <td><i>Hibbertia puberula</i> subsp. <i>puberula</i></td> <td>2 ha</td> <td>80*</td> </tr> <tr> <td>Small-flower Grevillia (<i>Grevillea parviflora</i> subsp. <i>parviflora</i>)</td> <td>333</td> <td>4,662</td> </tr> <tr> <td>Koala (<i>Phascolarctos cinereus</i>)</td> <td>42.69 ha</td> <td>1,110</td> </tr> </tbody> </table> <p>Note: * only whole numbers can be entered into the credit calculator. It is known that the calculator applies an offset requirement of 40 credits per hectare therefore this rate has been used to calculate the requirement for decimals of a hectare.</p>	Site	Plant community type	Area to be impacted	Credits required	MPW Stage 2 (excluding Moorebank Avenue site)	Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin (ME003)	9.81 ha	371	MPE Stage 2 (excluding Moorebank Avenue site)	Parramatta Red Gum woodland on moist alluvium of the Cumberland Plain, Sydney Basin (ME005)	0.46 ha	15	MPE Stage 2 (excluding Moorebank Avenue site)	Forest Red Gum – Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin (ME018)	27.88 ha	1,290	Moorebank Avenue site	Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin (ME003)	3.75 ha	140	Moorebank Avenue site	Parramatta Red Gum woodland on moist alluvium of the Cumberland Plain, Sydney Basin (ME005)	0.22 ha	7	Moorebank Avenue site	Forest Red Gum – Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney (ME018)	0.59 ha	19	Species	Impacted individuals/ area to be impacted	Credits required	Nodding Geebung (<i>Perosonia nutans</i>)	16	1,232	<i>Hibbertia puberula</i> subsp. <i>puberula</i>	2 ha	80*	Small-flower Grevillia (<i>Grevillea parviflora</i> subsp. <i>parviflora</i>)	333	4,662	Koala (<i>Phascolarctos cinereus</i>)	42.69 ha	1,110	<p>Biobanking agreement, NSW OEH, 26/11/19</p> <p>Memo, Arcadis to DPIE, 11/12/2019</p>	<p>Biobanking retirement memorandum, prepared by Arcadis describes how the project has retired the biobanking offset requirements for SSD 7709 and other projects). It includes consultation with the Department on inclusion from the other projects.</p> <p>The OEH biobanking agreement from 26/11/19 confirms the retirement.</p>	C
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B158	<p>The Applicant:</p> <ul style="list-style-type: none"> a) may elect to retire biodiversity credits in conjunction with the retirement of biodiversity credits for other developments on the MPE or MPW developments, prior to the commencement of construction of this development, provided it is not inconsistent with Condition B157; and b) is not required to retire credits for biodiversity impacts that it has already offset under another development consent, pending the provision of evidence of what credits were retired to offset which development. 	<p>Biobanking agreement, NSW OEH, 26/11/19</p> <p>Memo, Arcadis to DPIE, 11/12/2019</p>	<p>Biobanking retirement memorandum, prepared by Arcadis describes how the project has retired the biobanking offset requirements for SSD 7709 and other projects). It includes consultation with the Department on inclusion from the other projects.</p> <p>The OEH biobanking agreement from 26/11/19 confirms the retirement.</p>	C																																											

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B159	<p>If any native flora or fauna is identified on site that has not been previously identified in the documents listed in Condition A3:</p> <ul style="list-style-type: none"> a) work must cease in the vicinity; b) a buffer zone must be established in consultation with the project ecologist; c) OEH must be notified; d) appropriate mitigation measures must be determined in consultation with OEH (including relevant re-location measures); and e) ecological monitoring and/ or biodiversity offset requirements must be updated, where required. 	Interview with auditees 19/03/21	No new native flora and fauna has been identified. Some exotic species were identified.	NT
Operational Flora and Fauna Management				
B160	<p>Prior to commencement of operation an Operational Flora and Fauna Management Plan (OFFMP) must be prepared by a suitably qualified person in consultation with OEH and be submitted to the Planning Secretary for approval. The OFFMP must include:</p> <ul style="list-style-type: none"> 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. 	Site inspection 17/03/21	The project is in construction	NT
Contamination and Remediation				
Site Auditor				
B161	Prior to the commencement of any works, the Applicant must engage a Site Auditor accredited under the <i>Contaminated Land Management Act 1997</i> NSW Site Auditor Scheme.	Memorandum SIMTA to MIC, 26/05/16	James Davis was engaged in 2016.	C
Per- and Polyfluoroalkyl Substances (PFAS) Contamination				
B162	Prior to construction, the Applicant must provide the EPA with a copy of all reports to date relating to the assessment of per- and poly-fluoroalkyl substances (PFAS) undertaken for the development and in relation to contamination from the development.	<p>Email, Tactical to EPA 09/11/20</p> <p>Interview with auditees 19/03/21</p>	On 9/11/20 all the files were issued to the EPA. The Auditor is not aware of any response from the EPA in relation to this condition.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B163	Should the Applicant identify a potential risk to off-site receptors due to PFAS contamination, the Applicant must contact the EPA as soon as practicable to discuss requirements for community consultation.	<p>Auditee response to RFI, 26/03/21</p> <p>Site Audit Statement, SSD 7709, James Davis, 24/11/20</p> <p>Long-Term Environmental Management Plan, EP Risk, 27/11/20</p> <p>Email, SIMTA to EPA, 24/11/20</p>	<p>The Auditor requested that the auditee provide a copy of the document/s that support the Project's position that there is no off site risk posed by PFAS contamination. The auditees provided the following response: <i>EnRiskS (2019) has prepared an off-site Waterway Human Health and Ecological Risk Assessment that has been provided to the Site Auditor. The Site Auditor has reviewed the EnRiskS (2019) report and provided his review and the EnRiskS (2019) report to the EPA. This is a Commonwealth Controlled report permission is required before it can be released. However, this is indirectly covered off in the LTEMP consultation log. The LTEMP was provided to the EPA.</i></p> <p>The LTEMP details measures to manage PFAS impacted materials and waters on the project, but it does not present details on the level of risk to off-site receptors due to PFAS contamination</p> <p>The SSD 7709 Site Audit Statement certifies that the site is fit for use (commercial / industrial) subject to implementation of the Long-Term Environmental Management Plan, EP Risk, 27/11/20, and the Contamination Management Plan, EP Risk, 08/11/20. No Remediation Action Plan was deemed to be required by the Contaminated Site Auditor (indicating that there is no unacceptable human health / ecological risks present). The Site Audit Statement and associated information has been issued to the EPA.</p>	C
Contamination in Vegetated Areas				
B164	<p>Prior to vegetation clearing:</p> <p>a) the Applicant must identify contamination within vegetated areas and prepare options for remediation in those areas, with the objectives to:</p> <ul style="list-style-type: none"> i. retain vegetation to the greatest extent possible beyond the completion of remediation; ii. minimise land disturbance in accordance with Condition B41; and iii. not reduce the ability to provide connectivity and habitat corridors in accordance with Conditions B2 and B152; <p>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</p> <p>c) where contamination is identified as occurring within those areas where vegetation is proposed to be cleared, a Contamination Management Plan must be prepared in consultation with the Site Auditor detailing the location and nature of the contamination and the proposed remediation and/ or management measures that will be undertaken to address the on-site and potential off-site impacts.</p>	<p>Contamination Management Plan Moorebank Precinct West, EP Risk, 30/07/20</p> <p>Site Audit Statement, SSD 7709, James Davis, 24/11/20</p> <p>Letter DPIE to SIMTA, 23/10/20</p> <p>CoC B154 Clearing Permit, Georgio, no date</p> <p>Post Clearing Report, Narla, February 2021</p> <p>Ecological Consultants Australia report, 23/02/21</p>	<p>A Contamination Management Plan was prepared to satisfy CoC C1 and this condition:</p> <ul style="list-style-type: none"> a) Section 5, Appendices D and E b) Section 5, Appendices D and E c) The CMP was provided to the Contaminated Sites Auditor as part of the SSD 7709 Site Audit Statement application. <p>The CMP was approved by the Department in October 20. Vegetation clearing on SSD 7709 commenced in December 20.</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B165	A copy of the assessment required by Condition B164 above and any associated update of the CEMP required must be provided to the Planning Secretary for approval one month before commencement of vegetation clearing. Evidence of consultation with the Site Auditor must be included.	Contamination Management Plan Moorebank Precinct West, EP Risk, 30/07/20 Site Audit Statement, SSD 7709, James Davis, 24/11/20 Letter DPIE to SIMTA, 23/10/20 CoC B154 Clearing Permit, Georgio, no date Post Clearing Report, Narla, February 2021 Ecological Consultants Australia report, 23/02/21	A Contamination Management Plan was prepared to satisfy CoC C1 and this condition: d) Section 5, Appendices D and E e) Section 5, Appendices D and E f) The CMP was provided to the Contaminated Sites Auditor as part of the SSD 7709 Site Audit Statement application. The CMP was approved by the Department in October 20. Vegetation clearing on SSD 7709 commenced in December 20.	C
Remediation				
B166	Following vegetation clearing and prior to the commencement of other construction activities, the Applicant must complete remediation of the site in accordance with any relevant Remediation Action Plan (RAP) to the satisfaction of the Planning Secretary. The RAP must include options to remediate and/or manage PFAS impacted areas across the site, including the conservation area. The RAP must be submitted to the accredited site auditor and the NSW EPA for comment prior to implementation. If any amendments are required to the RAP, the amendments must be approved by an EPA accredited Site Auditor.	Site Audit Statement, SSD 7709, James Davis, 24/11/20 Site Audit Statement, SSD 5066, James Davis, 18/09/20	The SSD 5066 Site Audit Statement certifies that the site is fit for use (commercial / industrial) subject to implementation of the Long-Term Environmental Management Plan, ER Risk, 02/09/20, and the Contamination Management Plans, EP Risk, 30/07/20 and 08/11/20. Both those documents address the proposed approaches for managing residual contamination including PFAS, unexpected finds and contamination present in vegetated areas. No RAP was deemed to be required by the Contaminated Site Auditor. The SSD 7709 Site Audit Statement certifies that the site is fit for use (commercial / industrial) subject to implementation of the Long-Term Environmental Management Plan, EP Risk, 27/11/20, and the Contamination Management Plan, EP Risk, 08/11/20. Both those documents address the proposed approaches for managing residual contamination including PFAS, unexpected finds and contamination present in vegetated areas. No RAP was deemed to be required by the Contaminated Site Auditor.	NT
Validation Report				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B167	<p>The Applicant must prepare a Validation Report for the Stage 1 development. The Validation Report must:</p> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> i. comment on the extent and nature of the remediation undertaken, ii. describe the location, nature and extent of any remaining contamination on site, iii. sampling and analysis plan and sampling methodology, iv. details of the volume of treated material emplaced within any remaining containment cell, v. results of any validation sampling, compared to relevant guidelines/ criteria, and vi. discussion of the suitability of the remediated areas for the intended future land uses described under SSD 5066 and SSD 7709 – Stage 2 (including for the raised landform and imported fill characteristics and the drainage outlet structures in the riparian corridor). 	<p>Letter Enviroview (James Davis) to Tactical, 22/09/20</p> <p>Site Audit Statement, SSD 5066, James Davis, 18/09/20</p> <p>MPW Supplementary Validation Report, JBS&G, 25/09/20</p>	<p>The Contaminated Site Auditor reviewed the Validation Report and provided 11 x comments on its content. The report includes the information specified by this condition.</p>	C
B168	<p>A copy of the Validation Report must be provided to the Planning Secretary, EPA and the Certifying Authority prior to commencement of construction (other than the vegetation clearing required for remediation).</p>	<p>Email SIMTA to Certifier, 24/11/20</p> <p>Email SIMTA to EPA, 23/11/20</p> <p>DPIE post approval portal lodgement 20/11/20</p>	<p>The validation report was provided to the identified stakeholders.</p>	C
Site Audit Statements				
B169	<p>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 <i>NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017</i>, which demonstrates the site is suitable for its intended land uses under Stage 2 SSD 7709 including for the:</p> <ul style="list-style-type: none"> 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. 	<p>Site Audit Statement, SSD 7709, James Davis, 24/11/20</p> <p>Site Audit Statement, SSD 5066, James Davis, 18/09/20</p>	<p>The SSD 5066 Site Audit Statement certifies that the site is fit for use (commercial / industrial, including the import of fill for SSD 7709) subject to implementation of the Long-Term Environmental Management Plan, ER Risk, 02/09/20, and the Contamination Management Plans, EP Risk, 30/07/20 and 08/11/20. Both those documents address the proposed approaches for managing residual contamination including PFAS, unexpected finds and contamination present in vegetated areas. No RAP was deemed to be required by the Contaminated Site Auditor.</p> <p>The SSD 7709 Site Audit Statement certifies that the site is fit for use (commercial / industrial) subject to implementation of the Long-Term Environmental Management Plan, EP Risk, 27/11/20, and the Contamination Management Plan, EP Risk, 08/11/20. Both those documents address the proposed approaches for managing residual contamination including PFAS, unexpected finds and contamination present in vegetated areas. No RAP was deemed to be required by the Contaminated Site Auditor.</p>	C
B170	<p>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.</p>	<p>Site Audit Statement, SSD 7709, James Davis, 24/11/20</p> <p>Site Audit Statement, SSD 5066, James Davis, 18/09/20</p>	<p>The SSD 5066 Site Audit Statement is not staged however it acknowledges ongoing management of contamination through the relevant LTEMPs and CMPs.</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B171	Upon completion of importation and placement of fill and prior to construction of permanent built surface works, the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement A for the whole site, prepared in accordance with the <i>NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017</i> , which demonstrates the site is suitable for its intended land uses under MPW Stage 2 SSD 7709.	Site inspection 17/03/21	Importation of fill is ongoing. Permanent surface works have yet to commence.	NT
Long Term Environmental Management Plan				
B172	Where remediation outcomes for the site require long term environmental management, a suitably qualified and experienced person must prepare a Long Term Environmental Management Plan (LTEMP), to the satisfaction of the Site Auditor. The plan must: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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. 	Long-Term Environmental Management Plan (LTEMP), EP Risk, 27/11/20 Email, SIMTA to EPA, 24/11/20 DPIE post approval portal lodgement 24/11/20	The LTEMP was prepared, addressing the requirements of CoC C1 and this condition a) submitted to the identified stakeholders in November. Construction commenced on 01/12/20. b)i) Appendix C b)ii) Appendix D b)iii) no containment cell proposed, note Appendix H b)iv) no containment cell proposed, note Appendix H b)v) Section 5, Appendix D b)vi) Section 5, Appendix D b)vii) Appendix F b)viii) Appendix D.	C
B173	The LTEMP must be registered on the title to the land.	Long-Term Environmental Management Plan (LTEMP), EP Risk, 27/11/20 Interview the auditees 19/03/21	Section 1.4 of the LTEMP identifies the need for it to be registered to the title of the land. The registering of the LTEMP/s will be registered to the warehouse lots following subdivision (as required).	NT
Unexpected Ordnance				
B174	Unexpected Ordnance (UXO), Exploded Ordnance (EO) and Exploded Ordnance Waste (EOW) protocols must be prepared by an UXO contractor listed on the Defence Panel of suitably qualified UXO consultants and contractors.	Unexploded Ordnance Management Plan, GTek Australia, 08/11/19 Defence explosives ordnance plane, webpage visited.	UXO EO EOW protocols are within the CMP. It was prepared by GTek whom are listed on the Defence panel.	C
Unexpected Finds Protocol				
B175	The CEMP required under Condition C2 must include an Unexpected Finds Protocol(s) for, but not limited to, contamination, ordnances, Aboriginal sites, non-indigenous heritage and flora and fauna.	Construction Environmental Management Plan (CEMP) Moorebank Precinct West Stage 2, SIMTA, 14/01/20	The unexpected find protocol is within Appendix D of the CEMP	C
Hazards and Risks				
B176	The total quantities of dangerous goods present at any time within the development and transport movements to and from the development must be kept below the screening threshold quantities and movements listed in the Department's <i>Hazardous and Offensive Development Guidelines Applying SEPP 33</i> (January 2011) with the exception of dangerous goods storage for Warehouses JR and JN.	Site inspection 17/03/21	The project is in construction	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status																																																				
B176A	<p>The storage of dangerous goods and combustible materials within Warehouses JR and JN must not exceed the maximum storage quantities listed in Table 7 at all times:</p> <p>Table 7: Storage of dangerous goods within Warehouses JR and JN</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Dangerous Goods Class</th> <th>Packing Group</th> <th>Description</th> <th>Maximum Storage Quantity (Kg)</th> </tr> </thead> <tbody> <tr> <td rowspan="3">JR Warehouse</td> <td>2.1</td> <td>n/a</td> <td>Liquefied Petroleum Gas (LPG) in bulk tank</td> <td>3,080</td> </tr> <tr> <td>2.1</td> <td>n/a</td> <td>Aerosols with LPG propellant</td> <td>40,000</td> </tr> <tr> <td>n/a</td> <td>n/a</td> <td>Diesel fuel (C1 combustible material)</td> <td>60,000</td> </tr> <tr> <td rowspan="7">JN Warehouse</td> <td>1.4s</td> <td>n/a</td> <td>Explosives (i.e. party poppers)</td> <td>200</td> </tr> <tr> <td>2.1</td> <td>n/a</td> <td>LPG in bulk tank</td> <td>3,080</td> </tr> <tr> <td>3</td> <td>II</td> <td>Flammable liquids (i.e. paints)</td> <td>32,700</td> </tr> <tr> <td>3</td> <td>III</td> <td>Flammable liquids (i.e. paints)</td> <td>44,100</td> </tr> <tr> <td>4.1</td> <td>III</td> <td>Flammable solids (i.e. matches)</td> <td>4,200</td> </tr> <tr> <td>5.1</td> <td>III</td> <td>Oxidising agents (i.e. hair dyes)</td> <td>1,300</td> </tr> <tr> <td>8</td> <td>II</td> <td>Corrosive substances (i.e. cleaners)</td> <td>12,000</td> </tr> <tr> <td></td> <td>8</td> <td>III</td> <td>Corrosive substances (i.e. cleaners)</td> <td>33,000</td> </tr> </tbody> </table>	Location	Dangerous Goods Class	Packing Group	Description	Maximum Storage Quantity (Kg)	JR Warehouse	2.1	n/a	Liquefied Petroleum Gas (LPG) in bulk tank	3,080	2.1	n/a	Aerosols with LPG propellant	40,000	n/a	n/a	Diesel fuel (C1 combustible material)	60,000	JN Warehouse	1.4s	n/a	Explosives (i.e. party poppers)	200	2.1	n/a	LPG in bulk tank	3,080	3	II	Flammable liquids (i.e. paints)	32,700	3	III	Flammable liquids (i.e. paints)	44,100	4.1	III	Flammable solids (i.e. matches)	4,200	5.1	III	Oxidising agents (i.e. hair dyes)	1,300	8	II	Corrosive substances (i.e. cleaners)	12,000		8	III	Corrosive substances (i.e. cleaners)	33,000	Site inspection 17/03/21	The project is in construction	NT
Location	Dangerous Goods Class	Packing Group	Description	Maximum Storage Quantity (Kg)																																																				
JR Warehouse	2.1	n/a	Liquefied Petroleum Gas (LPG) in bulk tank	3,080																																																				
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B176B	<p>Prior to the commencement of construction, the pre-construction studies set out below must be completed:</p> <p>(a) a Fire Safety Study for Warehouse JR and/or Warehouse JN, covering the relevant aspects of the Department's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines' and the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems. The study must be prepared in consultation with Fire and Rescue NSW.</p> <p>(b) a Final Hazards Analysis for Warehouse JR and/or Warehouse JN, consistent with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'.</p> <p>Construction of Warehouse JR or Warehouse JN, other than of preliminary works that are outside the scope of the hazards studies, must not commence until the relevant study recommendations for the subject warehouse have been considered and, where appropriate, acted upon. The studies must be submitted to the Planning Secretary no later than one month prior to the commencement of construction of relevant warehouse to which they apply (other than preliminary works), or within such further period as the Planning Secretary may agree.</p>	Site inspection 17/03/21	The construction of the relevant warehouses has yet to commence.	NT																																																				
B176C	<p>Prior to the commissioning of Warehouse JR and Warehouse JN (or prior to the commissioning of the relevant warehouse, should the development be staged), the pre-commissioning plans and systems set out below must be completed:</p> <p>(a) a comprehensive Emergency Plan and detailed emergency procedures for the safety of all people outside Warehouse JR and/or Warehouse JN, who may be at risk from the warehouse/s. The plan must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'.</p> <p>(b) a document setting out a comprehensive Safety Management System covering all on-site operations and associated transport activities involving hazardous materials for Warehouse JR and/or Warehouse JN. The document must clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures. The Safety Management System shall be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'. Records shall be kept on-site at all times and must be available for inspection by the Secretary upon request.</p> <p>Documentation must be submitted to the Planning Secretary no later than two months prior to the commencement of commissioning of the proposed development, or within such further period as the Planning Secretary may agree.</p>	Site inspection 17/03/21	The commissioning of the relevant warehouses has yet to commence.	NT																																																				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B176D	Twelve months after the commencement of operations of Warehouse JR and/or Warehouse JN, should the development be staged, and every five years thereafter, or at such intervals as Council may agree, a comprehensive Hazard Audit of the warehouse/s must be carried out and a report submitted to the Planning Secretary within one month of each audit. The audits must be carried out at the Applicant's expense by a qualified person or team, independent of the development, approved by the Planning Secretary prior to commencement of each audit. Hazard Audits must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'. The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the deferral of the implementation of a recommendation is intended, reasons must be documented.	Site inspection 17/03/21	The operation of the relevant warehouses has yet to commence.	NT
B176E	The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions B176B to B176D, within such time as the Planning Secretary may agree.	Refer to responses to B176B – B176D	Refer to responses to B176B – B176D	NT
B177	The Applicant (the operator/ occupant of each premises) must store and handle all chemicals, fuels and oils, including Dangerous Goods as defined in the <i>Australian Code for the Transport of Dangerous Goods by Road & Rail</i> , in accordance with: <ul style="list-style-type: none"> 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.	Site inspection 17/03/21	The project is in construction	NT
B178	Fuel stored on the site must only be used for the purposes of refuelling IMT facility plant and equipment and locomotives.	Site inspection 17/03/21	The project is in construction	NT
B179	Prior to the occupation of each premises and in each instance of occupation by a new occupant, a statement must be submitted to the Planning Secretary confirming that the premises will be operated so as to comply with the requirements of Conditions B176 and B177 .	Site inspection 17/03/21	The project is in construction	NT
Waste Management				
B180	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's <i>Waste Classification Guidelines Part 1: Classifying Waste</i> (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.	Interview with auditees 17/03/21, 19/03/21 BMD Waste disposal register (current to 18/02/21) BMD B180-B181 Waste Dockets (various) MPW Georgiou Waste Licences Grass Hopper Waste Diversion Report Jan and Feb 2021	No excavated material has been disposed of off-site under SSD 7709 as yet. All other material is pre-classified under the Waste Classification Guidelines. Records indicate that wastes are being directed to Cleanaway Wetherill Park (EPL 20937), Genesis Eastern Creek (EPL 20121), Dial A Dump Easter Creek (EPL 13426), Visy Smithfield (EPL 4100), Metal Top Recyclers. These facilities appear to be lawfully permitted to receive the waste types.	C
B181	All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.	BMD Waste disposal register (current to 18/02/21) BMD B180-B181 Waste Dockets (various) MPW Georgiou Waste Licences Grass Hopper Waste Diversion Report Jan and Feb 2021	Records indicate that wastes are being directed to Cleanaway Wetherill Park (EPL 20937), Genesis Eastern Creek (EPL 20121), Dial A Dump Easter Creek (EPL 13426), Visy Smithfield (EPL 4100), Metal Top Recyclers. These facilities appear to be lawfully permitted to receive the waste types.	C
B182	The Applicant must obtain agreement from Council for the design of the waste storage area for each warehouse where the waste collection service will be provided by Council.	Site inspection 17/03/21	The project is in construction. Waste facilities are yet to be designed.	NT
B183	The OEMP required under Condition C5 must include measures for waste management in accordance with the waste hierarchy set out in the EPA's NSW Waste Avoidance and Resource Recovery Strategy 2014-2021.	Site inspection 17/03/21	The project is in construction.	NT
Construction and Operational Facilities				
Concrete Batching Plant				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B184	The concrete batching plants must comply with the following criteria: a) have a total production capacity less than 150 tonnes per day or 30,000 tonnes per year; b) only one concrete batching plant is to operate at any one time; and c) the first concrete batching plant must be disassembled immediately following commencement of operation of the second concrete batching plant.	Site inspection 17/03/21	There is no concrete batching	NT
B185	a) a drawing showing the location and layout of the two concrete batching plants including facilities for cementitious water treatment and connections to construction site water management and erosion and sediment control structures; b) mitigation, monitoring and management procedures specific to the concrete batching plants that would be implemented to minimise environmental and amenity impacts during both facility establishment and operation; and c) timeframes for establishment of each of the batching plants.	Site inspection 17/03/21	There is no concrete batching	NT
Crushing Plant				
B186	The CEMP required under Condition C2 must include mitigation, monitoring and management procedures specific to the crushing plant that would be implemented to minimise environmental and amenity impacts.	Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 29/01/20	Section 4.5 and 4.6 of the CNVMP.	C
Container Wash Down Facility				
B187	The container wash down facility must: a) include bunding to exclude wash area waste from the stormwater system; b) be designed and operated to avoid overspray from foams, detergents, mud or fugitive emissions outside wash down bays; c) include oily water separation, water treatment and recycling; and d) comply with Sydney Water trade waste requirements for discharge to the sewer.	Site inspection 17/03/21	The project is in construction.	NT
Operation of Plant and Equipment				
B188	All plant and equipment used on site, or to monitor the performance of the development must be: a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner.	BMD Plant Pre-Site Acceptance forms 35T excavator BMD Pre-Hire Inspection Checklist Hyundai EX79 BMD Plant Risk Assessment Hyundai EX79 BMD Operator Skills Assessment – Excavator Georgiou Work Licence HRW219806, RIIMPO337D, RII30809 Georgiou Project Safety Master Register, Plant Compliance Checklist, Plant Risk Register (current to 18/03/21)	Evidence demonstrates that the plant and equipment on site are checked and maintained. Operators are properly trained and ticketed. No issues observed.	C
Bushfire Risk Management				
B189	Bushfire asset protection zones must not be within the riparian corridor as defined in Condition B2 other than within areas greater than 40m from top of bank as determined in accordance with condition B2 where evidence is provided to the satisfaction of the Planning Secretary that riparian vegetation, and any trees over 3 m in height, will be retained.	Bushfire Risk Management Plan, Rev C, SIMTA, 07/11/19	The Bushfire Risk Management Plan identifies the location of the APZ (Figure 3-3). It is not within the riparian zone.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B190	The entire site must be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of the <i>Planning for Bush Fire Protection</i> (RFS, 2006) and the NSW Rural Fire Service's document <i>Standards for asset protection zones</i> .	Bushfire Risk Management Plan, Rev C, SIMTA, 07/11/19	Section 3.2.2 of the Bushfire Risk Management Plan identifies the IPA and requirements to be carried over into the operational landscape management plan.	C
B191	An updated Bushfire Risk Management Plan must be prepared by a suitably qualified person(s) demonstrating that the bushfire asset protection zones can be contained wholly within the development area and that management of the inner protection zone will not impact on the proposed Biodiversity Offset Area. The Bushfire Risk Management Plan must be submitted to the Planning Secretary prior to construction of permanent built surface works.	Bushfire Risk Management Plan, Rev C, SIMTA, 07/11/19 DPIE post approval portal lodgement, 18/12/19.	The Bushfire Risk Management Plan identifies the location of the APZ and IPAs and they do not impact the Offset Area.	C
B192	Public road access must comply with section 4.1.3(1) of <i>Planning for Bush Fire Protection</i> (RFS, 2006) except for the requirement for through-access.	Bushfire Risk Management Plan, Rev C, SIMTA, 07/11/19	These designs are within Section 3 of the Bushfire Risk Management Plan.	C
B193	The provision of water, electricity and gas must comply with section 4.1.3 of <i>Planning for Bush Fire Protection</i> (RFS, 2006).	Bushfire Risk Management Plan, Rev C, SIMTA, 07/11/19	These designs are within Section 3 of the Bushfire Risk Management Plan.	C
Emergency Response				
B194	Prior to the commencement of construction and operation, the Applicant must prepare an Emergency Response Plan(s) covering, but not limited to, flooding and bushfire. The Emergency Response Plan(s) must be consistent with <i>Australian Standard AS3745 2010 Planning for Emergencies in Facilities</i> and include details of: <ul style="list-style-type: none"> a) assembly points and evacuation routes; b) evacuation and refuge protocols; and c) awareness training for employees and contractors. 	Construction Emergency Response Plan, SIMTA, 07/04/20 Letter, ER to Tactical, 08/04/20	The CERP was prepared and addresses the information from this condition. The ER confirms its adequacy.	C
B195	The Bushfire Emergency and Evacuation Management Plan must: <ul style="list-style-type: none"> i. be prepared by a suitably qualified and experienced person(s), ii. be consistent with the Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan (RFS, 2014); and iii. a copy of the Operational Bushfire Emergency Evacuation Management Plan must be submitted to the Planning Secretary, NSW Rural Fire Service, Council and the Certifying Authority prior to occupation. 	Bushfire Risk Management Plan Moorebank Precinct West Stage 2, 07/11/19 DPIE post approval lodgement 24/04/20	The Bushfire Risk Management Plan was prepared in accordance with i and ii. It covers construction related aspects. An operational plan will be prepared and submitted prior to commencement of operations.	NT
Tenancy Activities				
B196	Prior to occupancy of any freight village or warehouse tenancy, and every subsequent occupation of these tenancies, details of the tenant and occupation activity is to be submitted to the Planning Secretary demonstrating that the proposed activity complies with Conditions A17 and A20 .	Site inspection 17/03/21	The project is in construction	NT
Part C – Environmental Management, Reporting and Auditing				
Environmental Management				
Management Plan Requirements				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C1	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <ul style="list-style-type: none"> a) detailed baseline data; b) details of: <ul style="list-style-type: none"> i. the relevant statutory requirements (including any relevant approval, licence or lease conditions); ii. any relevant limits or performance measures and criteria; and iii. the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; d) a program to monitor and report on the: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> i. incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria); ii. complaint; iii. failure to comply with statutory requirements; h) roles and responsibilities for implementing the plan; and i) a protocol for periodic review of the plan. <p>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</p>	<p>Construction Environmental Management Plan (CEMP) Moorebank Precinct West Stage 2, SIMTA, 14/01/20</p> <p>Letter DPIE to SIMTA, 23/01/20</p> <p>Construction Soil and Water Management Plan (SWMP) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev 10</p> <p>Letter DPIE to SIMTA, 01/04/20</p> <p>Acid Sulfate Soil Management Plan (ASSMP) Moorebank Precinct West Site, 400 Moorebank Avenue, Moorebank NSW, EP Risk, 30/01/20</p> <p>Letter DPIE to SIMTA, 21/02/20</p> <p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20</p> <p>Letter DPIE to SIMTA, 23/04/20</p> <p>Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 29/01/20</p> <p>Letter DPIE to SIMTA, 07/02/20</p> <p>Construction Flora and Fauna Management Plan (CFFMP) Moorebank Precinct West Stage 2, SIMTA, 10/03/20</p> <p>Letter DPIE to SIMTA, 23/3/20</p> <p>Contamination Management Plan (CMP) Moorebank Precinct West, EP Risk, 30/07/20</p> <p>Letter DPIE to SIMTA, 23/10/20</p>	<p>The CEMP and associated sub-plans form a suite of documents that when combined address all the requirements of this condition.</p> <p>The Department approved the CEMP, the SWMP, the ASSMP, the CTAMP, the CNVMP, and the CMP prior to commencement of construction.</p>	C
Construction Environmental Management Plan				
C2	The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and submit it to the Planning Secretary for approval.	Letter DPIE to SIMTA, 23/01/20	The Department approved the CEMP on 23/01/20	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C3	<p>As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following:</p> <ul style="list-style-type: none"> a) Soil and Water Management Plan (see Condition B29); b) Acid Sulfate Soils Management Plan (see Condition B39); c) Construction Traffic and Access Management Plan (see Condition B113); d) Construction Noise and Vibration Management Plan (see Condition B134); e) Out-of-hours Work Protocol (see Condition B135(g)); f) Construction Flora and Fauna Management Plan (see Condition B154); and g) Unexpected Finds Protocol(s) (see Condition B175). 	<p>Construction Environmental Management Plan (CEMP) Moorebank Precinct West Stage 2, SIMTA, 14/01/20</p> <p>Letter DPIE to SIMTA, 23/01/20</p> <p>Construction Soil and Water Management Plan (SWMP) SSD 7709 Moorebank Logistic Park Precinct West, Constin Roe, Rev 10</p> <p>Letter DPIE to SIMTA, 01/04/20</p> <p>Acid Sulfate Soil Management Plan (ASSMP) Moorebank Precinct West Site, 400 Moorebank Avenue, Moorebank NSW, EP Risk, 30/01/20</p> <p>Letter DPIE to SIMTA, 21/02/20</p> <p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20</p> <p>Letter DPIE to SIMTA, 23/04/20</p> <p>Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 29/01/20</p> <p>Letter DPIE to SIMTA, 07/02/20</p> <p>Construction Flora and Fauna Management Plan (CFFMP) Moorebank Precinct West Stage 2, SIMTA, 10/03/20</p> <p>Letter DPIE to SIMTA, 23/3/20</p>	<p>Each of the documents listed were prepared in accordance with the conditions listed and approved by the Department prior to commencement of construction.</p>	C
C4	<p>The Applicant must:</p> <ul style="list-style-type: none"> 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. 	<p>Letter DPIE to SIMTA, 23/01/20</p>	<p>The Department approved the CEMP on 23/01/20</p> <p>Construction commenced 02/12/20.</p>	C
Operational Environmental Management Plan				
C5	<p>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.</p>	<p>Site inspection 17/03/21</p>	<p>The project is in construction</p>	NT

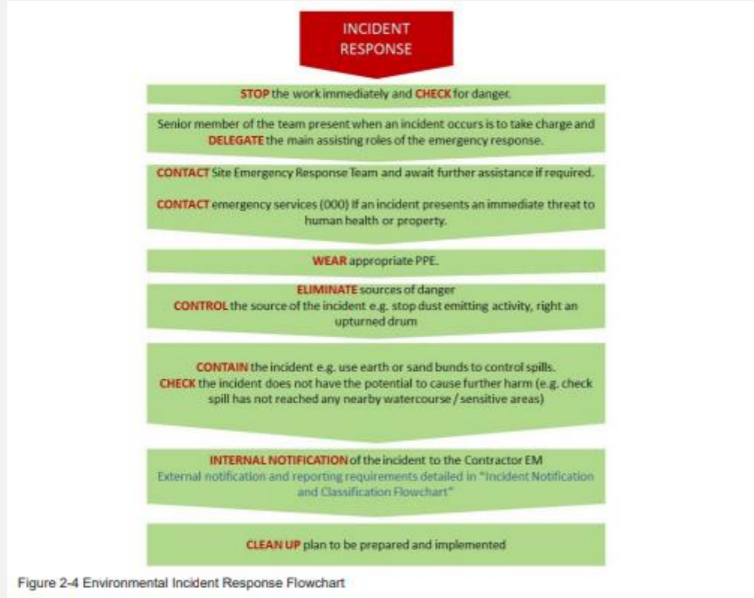
Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C6	As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following: <ul style="list-style-type: none"> a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; b) describe the procedures that would be implemented to: <ul style="list-style-type: none"> i. keep the local community and relevant agencies informed about the operation and environmental performance of the development; ii. receive, handle, respond to, and record complaints; iii. resolve any disputes that may arise; iv. respond to any non-compliance; v. respond to emergencies; and c) include the following environmental management plans: <ul style="list-style-type: none"> i. Operational Traffic and Access Management Plan (see Condition B118); ii. Stormwater Infrastructure Operation and Maintenance Plan (see Condition B36); iii. Stormwater Quality Monitoring Program (see Condition B38); iv. Landscape Vegetation Management Plan (see Condition B82); v. Operational Traffic and Access Management Plan (see Condition B118); vi. Operational Noise Management Plan (see Condition B136); and vii. Operational Flora and Fauna Management Plan (see Condition B160). 	Site inspection 17/03/21	The project is in construction	NT
C7	The Applicant must: <ul style="list-style-type: none"> 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). 	Site inspection 17/03/21	The project is in construction	NT
Revision of Strategies, Plans and Programs				
C8	Within three months of: <ul style="list-style-type: none"> 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.	Notification of review (DPIE Post Approval Portal Lodgement 09/03/21) Interview with auditees 19/03/21 Georgiou Incident register current to 17/03/21 MOD-1, approved 24/12/20	<ul style="list-style-type: none"> a) No reportable incidents under SSD 7709. b) This is the first Independent Audit. c) Modification 1 was approved on 24/12/20. d) It is understood that there have been no directions have been received by the Department. A review was notified to the Department on 09/03/21, which is within 3 months of the only triggering event (Mod 1, approved 24/12/20).	C
C9	If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review. <p><i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</i></p>	Interview with auditees 19/03/21	This has yet to be triggered. The aforementioned review under CoC C8 has not triggered any updates. The strategies plans and programs remain current.	NT
Reporting and Auditing				
Incident Notification, Reporting and Response				
C10	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development), and set out the location and nature of the incident. Subsequent notification requirements must be given and reports submitted in accordance with the requirements set out in Appendix 3 .	Interview with auditees 19/03/21 Georgiou Incident register current to 17/03/21	No notifiable incidents have been identified by the project on SSD 7709.	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Non-Compliance Notification				
C11	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.	Site inspection 17/03/21 Email SIMTA to DPIE, 16/03/21	Stockpiles were observed that were greater than 10m high and not benched at 4 metres. This non-compliance was reported by the Project under CoC C11, within 7 days of becoming aware of the non-compliance. The notification includes the information required under CoC C12.	C
C12	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	Site inspection 17/03/21 Email SIMTA to DPIE, 16/03/21	Stockpiles were observed that were greater than 10m high and not benched at 4 metres. This non-compliance was reported by the Project under CoC C11, within 7 days of becoming aware of the non-compliance. The notification includes the information required under CoC C12.	C
C13	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Interview with auditees 19/03/21 Georgiou Incident register current to 17/03/21 Site inspection 17/03/21 Email SIMTA to DPIE, 16/03/21	The non-compliances were not incidents.	NT
Compliance Reporting				
C14	No later than six weeks before the date notified for the commencement of construction and operation, a Construction Compliance Monitoring and Reporting Program and Operational Compliance Monitoring and Reporting Program respectively, prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018). The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.	Compliance Monitoring and Reporting Program, SIMTA, 15/01/20 Moorebank Precinct West (SSD 7709) Stage 2: Pre-Construction Compliance Report, 26/11/20 DPIE post approval lodgement 26/11/20 (PCCR) Email Certifier to SIMTA, 10/02/20 (CMRP)	The CMRP and first CCR were prepared in accordance with the Departments CRPAR and submitted to the Department as per the specified timeframes. Both are available on the Project website. Non-compliance: There is no evidence available to demonstrate that the publication of the PCCR was notified to the Department or the Certifier.	NC
C15	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	Site inspection 17/03/21	The project is in construction	NT
Independent Environmental Audit				
C16	No later one month before the date notified for the commencement of construction and operation, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	Moorebank Park West Stage 2 – SSD 7709 Independent Audit Program, Rev 2, WolfPeak, 18/11/19 Email Certifier to SIMTA, 10/02/20 (Audit Program) Post Approval Portal Snapshot 21/02/20	The Audit Program was prepared in accordance with the IAPAR. Evidence shows that it was submitted to the Certifier and DPIE prior to construction.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C17	Independent Audits of the development must be carried out in accordance with: <ul style="list-style-type: none"> a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C16 of this consent; and b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018). 	Letter DPIE to SIMTA, 17/04/20 Moorebank Park West Stage 2 – SSD 7709 Independent Audit Program, Rev 2, WolfPeak, 18/11/19 This Audit Report	The auditors were approved on 17/04/20. This audit was conducted in accordance with the IAPAR and the Audit Program.	C
C18	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: <ul style="list-style-type: none"> a) review and respond to each Independent Audit Report prepared under Condition C17 of this consent; b) submit the response to the Department and the Certifying Authority; and c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done. 	-	These actions occur following finalisation of the Audit report.	NT
C19	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.	Site inspection 17/03/21	The Project is in construction.	NT
Monitoring and Environmental Audits				
C20	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing. <i>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.</i>	Stationary Plant Acoustic Assessment Report, Georgiou, 17/11/20 Standard Hours Construction Noise Survey, 12/02/21, Renzo Tonin. Airborne Asbestos Fibre Monitoring Report, JBS&G, 04/03/21 and 05/03/21, 17/03/21 and 19/03/21 Moorebank Precinct West: Discharge Point Monitoring Procedures and Quality Assurance / Quality Control (QA/QC) Summary, JBS&G, 25/03/21 Moorebank West (MBW) – Synergy Water Treatment Plant Performance Letter Report, Treatment Period 10, Synergy,	The monitoring reports and records sighted (dust, noise, asbestos, water), indicate that the relevant and current standards are being applied and quality assurance / quality control processes are being implemented. This audit has been conducted in accordance with ISO 19011 and the IAPAR.	C
Access to Information				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C21	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must:</p> <p>a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ul style="list-style-type: none"> i. the documents referred to in Condition A3 of this consent and the final, approved revised Development Layout Drawings, Stormwater Design Drawings, Landscape Drawings and Architectural Drawings for the development; ii. all current statutory approvals for the development; iii. all approved strategies, plans and programs required under the conditions of this consent; iv. the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; v. minutes of CCC meetings; vi. regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent; vii. a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; viii. a summary of the current stage and progress of the development; ix. contact details to enquire about the development or to make a complaint; x. a complaints register, updated monthly; xi. the Compliance Reporting of the development; xii. audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report; xiii. any other matter required by the Planning Secretary; and <p>b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>	<p>https://simta.com.au/mpw/</p> <p>https://simta.com.au/wordpress/wp-content/uploads/2021/04/SIMTA-Online-Complaints-document-to-March-2021.pdf</p> <p>https://simta.com.au/project-wide/</p> <p>https://simta.com.au/category/current-works/</p> <p>https://simta.com.au/contact-us/</p> <p>Draft 6-monthly environmental performance report, Aspect, no date</p>	<p>The Project website contains:</p> <p>a)i) the EIS, and associated information including the approved drawings and plans.</p> <p>a)ii) the SSD and EPBC Act approval: Non-compliance: The SSD approval does not present the most current version (i.e.: inclusive of MOD-1)</p> <p>a)iii) each of the approved strategies plans and programs (CCS, CEMP and sub-plans, LTEMP, CMP).</p> <p>a)iv) There is no staging</p> <p>a)v) Minutes of the CCC meetings</p> <p>a)vi) and vii) the PCCR is posted. The project is in the process of uploading 6 monthly performance reports</p> <p>a)viii) project works updates</p> <p>a)ix) contact details</p> <p>a)x) complaints register</p> <p>a)xi) the Compliance Reports</p> <p>a)xii) this is the first Audit.</p> <p>a)xiii) it is understood there have been no other directions from the Department</p> <p>b) the information appears to be up to date other than MOD-1 not being presented.</p>	NC

APPENDIX B – CEMP & SUB-PLAN MITIGATION MEASURES

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Conformance Status
CEMP, Section 2.8.2	<p>All environmental incidents will be managed in accordance with the flowchart shown in Figure 2-4.</p>  <p>Figure 2-4 Environmental Incident Response Flowchart</p>	Georgiou Online HSE system Beacon.	<p>27 environmental incidents recorded since Georgiou arrived on site (across SSD 5066, SSD 7628 and SSD 7709). None of which have been classed as notifiable.</p> <p>The Beacon system indicates adequate identification, notification, isolation, remediation of environmental incidents and investigation.</p>	C
CEMP, Section 3.2.1	The content of the ECMs must be included in the site induction and covered in pre-starts prior to works adjacent to identified environmental values.	<p>ECM / site overlay 12/03/21</p> <p>Moorebank Precinct Face to Face Induction</p> <p>Interview with auditees 17/03/21</p>	<p>The ECM is on the wall where Georgiou conducts pre-starts. Constraints (i.e.: content from the ECMs) are discussed as relevant to the works.</p> <p>Observation: there was no evidence to clearly demonstrate that the ECMs are included in the induction and pre-starts.</p>	C
CEMP, Section 4.2.2, Table 4.1	Weekly Environmental Site Inspection by Contractors EM. Focus on relevant social and environmental aspects related to the works period. Inspections logged and reported.	<p>Georgiou Online HSE system Beacon.</p> <p>Environmental and wet weather inspection forms (various)</p>	The Beacon system and the HSE forms evidence showing completion, recording and reporting of inspections.	C
CSWMP, Section 3.2	Construction EM to develop, implement, monitor and update the progressive CESC's as required.	Progressive ESCP, 09/02/21, 07/10/20, 12/10/20, 04/12/20, 22/12/20	Progressive erosion and sediment control plans are updated regularly by the Environment Manager and reviewed by the CPESC.	C
CSWMP, Section 5.2	Prior to commencement of site works and stages, the site entry associated stabilized site access will be constructed in the specified location on ESCP drawings in App A CSWMP.	<p>Progressive ESCP, 09/02/21, 07/10/20, 12/10/20, 04/12/20, 22/12/20</p> <p>Site inspection 17/03/21</p>	The site access points were observed to be stabilized.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Conformance Status
CSWMP, Section 8.2	All water discharge performance to be in accordance with Section 3.6 of the CSWMP. https://simta.com.au/wordpress/wp-content/uploads/2020/06/Co13455.07-03_10.rpt.pdf	EPL 21054 monitoring data report May 20, Jan 21, Feb 21 Dewatering permit Jan 21, Feb 21. Synergy Treatment Report, 04-22/01/21, 08-23/02/21	Water discharges are monitored against the criteria from the EPL. No exceedances to date. If the water fails the criteria, discharge is not approved.	C
CSWMP, Section 8.2	All water quality data, including dates of rainfall, dates of testing, testing results and dates of water release, must be kept in an on-site register.	Georgiou Online HSE system Beacon. Environmental and wet weather inspection forms (various) EPL 21054 monitoring data report May 20, Jan 21, Feb 21 Dewatering permit Jan 21, Feb 21. Synergy Treatment Report, 04-22/01/21, 08-23/02/21 Holsworthy aerodome weather station data.	All this data was able to be presented by the auditee during the on-site component of the audit.	C
CASSMP, Section 2.3	Personnel directly involved in implementing the ASSMP on the MPW Stage 2 site will be given specific training in the various measures to be implemented.	Interview with auditees 17/03/21	The people involved in implementing the ASSMP are the site EM and Env Office, as well as contaminated sites consultants JBS&G. all are suitably experienced in ASS.	C
CASSMP, Section 7.2	During excavation of the OSD basins a Environmental Suitability Qualified Person (ESQP) (in accordance with NEPM Schedule B99 2013) will be present daily to carry out inspections of excavated material for the presence of suspected PASS or AASS.	Site inspection 17/03/21	The OSD excavation works have yet to commence.	NT
CASSMP, Section 7.5	Prior to commencing the works, a suitable soil treatment area located adjacent to each OSD Basin, but within the construction site, will be identified in the event treatment of PASS/AASS is required.	Site inspection 17/03/21	The OSD excavation works have yet to commence.	NT
CTAMP, Section 2.3	The project induction will include obligations under the CTAMP, including ROL, TCP and TMP requirements.	Moorebank Precinct Face to Face Induction Interview with auditees 17/03/21	There are no works being done requiring an ROL or TCP within the induction. Internal traffic requirements are included but are ever changing. These are communicated to the work force on an as needs basis.	C
CTAMP, Section 3.2.2	Vehicles transporting fill to site must use nominated construction routes Fig 3.1 (Heavy Vehicle Route Plan). https://simta.com.au/wordpress/wp-content/uploads/2020/06/MPW-Stage-2-CTAMP_Rev-I_clean.pdf	Interview with auditees 17/03/21	All movements are to and from M5. There is no need for movements from the south.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Conformance Status
		Driver's code of conduct		
CNVMP, Section 3.3	Toolbox training on noise and vibration management requirements and measures will be completed by the contractors EM (or nominated authority) during the project.	Interview with auditees 17/03/21 Georgiou TBT 22/01/21, 08/09/20	Noise and vibration (along with biodiversity, ersted and the like) were toolboxed in September and January.	C
CNVMP, Section 4.4.1.2	Once identified the OOHW Protocol (Appendix A) will be implemented should works fall outside of the classification of CoC B127 (a) to (e) and strong justification exists to undertake the activities outside of standard construction hours.	Interview with auditees 17/03/21	There have been no OOHW undertaken for SSD 7709.	NT
CNVMP, Section 5.1.1	Attended noise measurements will be undertaken within a period of 28 days of significant equipment arriving on site to establish the actual noise levels and to confirm that the operating noise levels comply with the values presented in Table 29 of the CNVMP. https://simta.com.au/wordpress/wp-content/uploads/2020/06/TJ741-06F02-CNVMP-r7.pdf	Georgiou Plant sound power level register (no date)	The evidence indicates that plant sound power levels have been measured early in the plant's arrival and compared to Table 29 of the CNVMP. No issues.	C
CNVMP, Table 34	Ambient noise monitoring will be undertaken during construction, operation and up to two years beyond completion of the Project. Annual reports of noise monitoring results will be prepared.	Envirosuite continuous noise logging results (live)	Continuous loggers are deployed. No issues.	C
CFFMP, Section 2.2	Project ecologist to undertake pre-clearance surveys.	Ecological Consultants Australia report, 23/02/21	The ecologists completed pre-clearance surveys (and attended clearing works)	C
CFFMP, Section 4.1	Inspect the delineation of 'No-Go' areas, to ensure that the clearing boundary (e.g. high visibility flagging tape) is intact and clearly visible. To occur: Daily.	Interview with auditees 17/03/21	This is done via observation only. No written record.	C
CFFMP, Section 4.1	Inspection of cleared and disturbed areas, to identify the presence of establishing weeds. To occur: Weekly.	Georgiou Online HSE system Beacon. Environmental and wet weather inspection forms (various)	The Beacon system and the HSE forms evidence showing completion, recording and reporting of inspections.	C
CFFMP, Appendix B	At least two weeks prior to proposed vegetation clearing the Contractor's Environment Manager (EM) will ensure that the following actions (refer table of App B – 'Prior to Commencement of Clearing') have been implemented. Each action must be checked off by the Project Ecologist (PE) and Contractor's EM. https://simta.com.au/wordpress/wp-content/uploads/2020/06/MPW-Stage-2-CFFMP_Rev_K_Compiled.pdf	Works letter, Kingfisher, 02/12/20 CoC B154 Clearing Permit, Georgiou, no date Post Clearing Report, Narla, February 2021 Ecological Consultants Australia report, 23/02/21	The pre-clearance checks are being completed as per the CFFMP.	C

APPENDIX C – PLANNING SECRETARY AGREEMENT OF INDEPENDENT AUDITORS



Steve Ryan
Managing Director Tactical

VIA Email ONLY: sryan@tacticalgroup.com.au

17 April 2020

Dear Mr Ryan

**Moorebank Precinct West Stage 2 (SSD 7709)
Agreement of Independent Auditor**

I refer to your submission dated 24 February 2020, seeking the agreement of the Secretary of the Department of Planning, Industry and Environment (**Department**) of a suitably qualified, experienced and independent audit team to undertake independent audits of Moorebank Precinct West Stage 2.

In accordance with Condition C16 of SSD 7709 and the *Independent Audit Post Approval Requirements* (Department 2018), the Secretary has agreed to the following audit team: Steve Fermio, Derek Low and Ricardo Prieto-Curiel.

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken and finalised in accordance with the *Independent Audit Post Approval Requirements* (Department 2018). Failure to meet these requirements will require revision and resubmission.

The Department reserves the right to request an alternate auditor or audit team for future audits.

Notwithstanding the agreement for the above listed audit team for this Project, each respective project approval or consent requires a request for the agreement to the auditor or audit team be submitted to the Department, for consideration of the Secretary. Each request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor or audit team will be considered.

If you have any questions, please contact Maria Divis on (02) 8275 1156 or email to compliance@planning.nsw.gov.au.

Yours sincerely



Julia Pope

APPENDIX D – CONSULTATION RECORDS

Derek Low

From: Hala Fua <Hala.Fua@planning.nsw.gov.au>
Sent: Monday, 8 March 2021 11:26 AM
To: Derek Low
Cc: Julia Pope
Subject: RE: Independent Audit of Moorebank Intermodal Precinct West - Stage 2 (SSD 7709)

Dear Derek,

Thank you for consulting with the Department on the scope of the audit. Please ensure that the audit is conducted in accordance with conditions of Development Consent SSD 7709. Further, please ensure that the audit examines;

1. OOHW protocols to ensure that they have been adequately implemented;
2. CNVMP requirements re acoustic testing of equipment used on site prior to implementing / use; and
3. Include any feedback the ER may have should you wish to consult with him.

If you wish to discuss this email further, please call me. Thank you.

Regards,

Hala Fua
Senior Compliance Officer

Planning & Assessment | Department of Planning, Industry and Environment

T (02) 8837 6328 | E hala.fua@planning.nsw.gov.au

Locked Bag 5022 | PARRAMATTA NSW 2124

www.dpie.nsw.gov.au



From: Derek Low <dlow@wolfpeak.com.au>
Sent: Tuesday, 2 March 2021 3:19 PM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Subject: Independent Audit of Moorebank Intermodal Precinct West - Stage 2 (SSD 7709)

Hi there.

I am one of the Department of Planning Industry and Environment (the Department) approved Independent Auditors on the Moorebank Intermodal Precinct West - Stage 2 - SSD 7709 (the Project).

I am currently preparing to undertake the first independent audit on the Project. The audit is required to be conducted in accordance with SSD 7709 condition C17 and the Department's 2018 *Independent Audits Post Approval Requirements* (or IAPAR).

The consent is available at the following link: <https://www.planningportal.nsw.gov.au/major-projects/project/26041>

The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/independent-audit-post-approval-requirements-2018-06.pdf>

The on-site component of the audit is scheduled to occur on 17 March 2021 and pertains to post-approval requirements and compliance.

In accordance with Section 3.2 of the IAPAR, I am consulting with the Department on the scope of the audit.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant Condition of Consent along with all post approval documents prepared to satisfy the Conditions of Consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request you confirm if the Department:

- Has any key issues it would like examined, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR; or
- recommends that parties or agencies (other than the EPA and Liverpool City Council) are to be consulted. If so we request that the Department identify those parties.

Any questions please let me know. I look forward to hearing from you.

Derek Low

Principal Environmental Consultant



E: dlow@wolfpeak.com.au

P: 1800 979 716

M: 0402 403 716

A: Suite 2, Level 10, 189 Kent Street, Sydney NSW 2000

www.wolfpeak.com.au



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Derek Low

From: Environment Line <info@environment.nsw.gov.au>
Sent: Tuesday, 2 March 2021 4:34 PM
To: Derek Low
Subject: RE: Independent Audit of Moorebank Intermodal Precinct West - Stage 2 (SSD 7709) [ref:_00D7F6iTix_5007F18O23S:ref]

Hi Derek,

We have referred your email to the appropriate team.

Kind regards,

Hillan

Digital Information Office (DIO) | Corporate Services Department of Planning, Industry and Environment
T 131 555 | E info@environment.nsw.gov.au
4 Parramatta Square, 12 Darcey St, Parramatta NSW 2150
<https://www.epa.nsw.gov.au/about-us/contact-us/environmentline>
www.dpie.nsw.gov.au

----- Original Message -----

From: Derek Low [dlow@wolfpeak.com.au]
Sent: 2/03/2021 3:43 PM
To: info@epa.nsw.gov.au
Subject: Independent Audit of Moorebank Intermodal Precinct West - Stage 2 (SSD 7709)

Hi there.

I am one of the Department of Planning Industry and Environment (the Department) approved Independent Auditors on the Moorebank Intermodal Precinct West - Stage 2 - SSD 7709 (the Project).

I am currently preparing to undertake the first independent audit on the Project. The audit is required to be conducted in accordance with SSD 7709 condition C17 and the Department's 2018 *Independent Audits Post Approval Requirements* (or IAPAR).

The consent is available at the following link: <https://www.planningportal.nsw.gov.au/major-projects/project/26041>

The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/independent-audit-post-approval-requirements-2018-06.pdf>

The on-site component of the audit is scheduled to occur on 17 March 2021 and pertains to post-approval requirements and compliance.

In accordance with Section 3.2 of the IAPAR, I am consulting with the EPA on the scope of the audit.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant Condition of Consent along with all post approval documents prepared to satisfy the Conditions of Consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request you confirm if the EPA has any key issues it would like examined, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR.

Any questions please let me know. I look forward to hearing from you.

Derek Low

Principal Environmental Consultant



E: dlow@wolfpeak.com.au

P: 1800 979 716

M: 0402 403 716

A: Suite 2, Level 10, 189 Kent Street, Sydney NSW 2000

www.wolfpeak.com.au



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ref:_00D7F6iTix._5007F18O23S:ref

Derek Low

From: Derek Low
Sent: Tuesday, 2 March 2021 3:45 PM
To: lcc@liverpool.nsw.gov.au
Subject: Independent Audit of Moorebank Intermodal Precinct West - Stage 2 (SSD 7709)

Hi there.

I am one of the Department of Planning Industry and Environment (the Department) approved Independent Auditors on the Moorebank Intermodal Precinct West - Stage 2 - SSD 7709 (the Project).

I am currently preparing to undertake the first independent audit on the Project. The audit is required to be conducted in accordance with SSD 7709 condition C17 and the Department's 2018 *Independent Audits Post Approval Requirements* (or IAPAR).

The consent is available at the following link: <https://www.planningportal.nsw.gov.au/major-projects/project/26041>

The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/independent-audit-post-approval-requirements-2018-06.pdf>

The on-site component of the audit is scheduled to occur on 17 March 2021 and pertains to post-approval requirements and compliance.

In accordance with Section 3.2 of the IAPAR, I am consulting with the Liverpool City Council on the scope of the audit.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant Condition of Consent along with all post approval documents prepared to satisfy the Conditions of Consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request you confirm if the Liverpool City Council has any key issues it would like examined, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR.

Any questions please let me know. I look forward to hearing from you.

Derek Low

Principal Environmental Consultant



E: dlow@wolfpeak.com.au

P: 1800 979 716

M: 0402 403 716

A: Suite 2, Level 10, 189 Kent Street, Sydney NSW 2000

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APPENDIX E – MEETING SIGN ON SHEET

INDEPENDENT AUDIT MEETING ATTENDANCE RECORD

PROJECT (NAME AND APPROVAL NUMBER)	MPW S2 SSO 7709		
DATE	17/3/21		
LOCATION	WOCKEBANK		
OPENING MEETING			
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE
Derek Law	Advisor	WOLFPEAK	
Daryle McKone	Qube Rep (Env)	Aspect	
Matthew Williams	" " "	Aspect	
Richard Johnson	Director	Aspect	
William Carter	Enviro Mgr	Georgiou	
Fei Chen	Project Coord.	TAC	
Tim Davis	Enviro Manager	BUD	
Jared Sisay	Project Manager	JUP	
CLOSING MEETING			
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE
Morgan Jolley	Enviro Officer	Georgiou	
Nick Stann	Director	CTRA	
Derek Law	Advisor	WOLFPEAK	
William Carter	Enviro Mgr	Georgiou	
Morgan Jolley	Enviro officer	Georgiou	
Matthew Williams	Enviro Qube	Aspect	
Daryle McKone	" "	Aspect	
Jared Sisay	Project manager	JUP	

APPENDIX F – SITE INSPECTION PHOTOGRAPHS

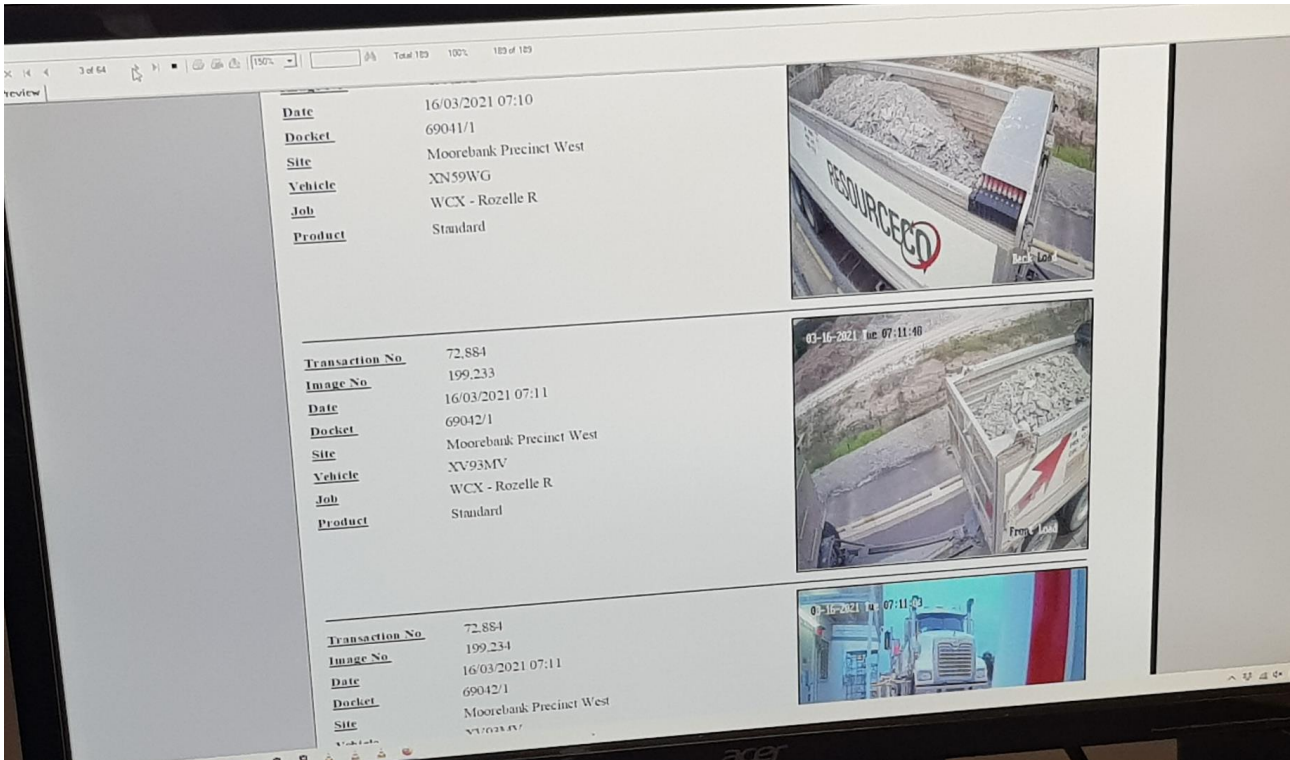


Photo 1: Weighbridge surveillance



Photo 2: Example of stockpile not in compliance with CoC B43



Photo 3: Boundary channels



Photo 4: Boundary flagging



Photo 5: Drainage infrastructure in preparation for install



Photo 6: erosion and sediment control



Photo 7: Scrap concrete and rebar



Photo 8: No go flagging on an EEC area not installed correctly (resolved prior to finalisation of this Audit Report).



Photo 9: Erosion and sediment controls.

APPENDIX G – DECLARATION FORMS

Independent Audit Report Declaration Form


Project name	Moorebank Precinct West Stage 2
Consent number	SSD 7709
Description of Project	<ul style="list-style-type: none"> • Construction and 24/7 operation of an intermodal terminal (IMT) facility to support a container freight throughput volume of 500,000 twenty-foot equivalent units (TEUs) per annum • Construction and 24/7 operation of a warehousing estate on the northern part of the site servicing the IMT facility • Intersection upgrades on Moorebank Avenue • Construction and operation of on-site detention basins, bioretention/ biofiltration systems and trunk stormwater drainage for the entire site. • Construction works and temporary ancillary facilities.
Project address	Moorebank Avenue, Moorebank Lot 1 DP 1197707, Lot 100 DP 1049508, Lot 101 DP 1049508, Lot 2 DP 1197707, Part Lot 3 DP 1197707, Part Anzac Road and Moorebank Avenue public road reserves
Proponent	Sydney Intermodal Terminal Alliance (SIMTA) as Qube Holdings Limited
Title of audit	Independent Audit
Date	13/04/2021

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2018)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

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

Name of Auditor	Derek Low
Signature	
Qualification	Master of Environmental Engineering Management Exemplar Global Auditor Number 114283
Company	WolfPeak Pty Ltd
Company address	Suite 2, Level 10, 82 Elizabeth Street Sydney NSW 2000

Independent Audit Report Declaration Form

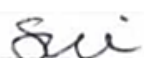
Project name	Moorebank Precinct West Stage 2
Consent number	SSD 7709
Description of Project	<ul style="list-style-type: none"> Construction and 24/7 operation of an intermodal terminal (IMT) facility to support a container freight throughput volume of 500,000 twenty-foot equivalent units (TEUs) per annum Construction and 24/7 operation of a warehousing estate on the northern part of the site servicing the IMT facility Intersection upgrades on Moorebank Avenue Construction and operation of on-site detention basins, bioretention/ biofiltration systems and trunk stormwater drainage for the entire site. Construction works and temporary ancillary facilities.
Project address	Moorebank Avenue, Moorebank Lot 1 DP 1197707, Lot 100 DP 1049508, Lot 101 DP 1049508, Lot 2 DP 1197707, Part Lot 3 DP 1197707, Part Anzac Road and Moorebank Avenue public road reserves
Proponent	Sydney Intermodal Terminal Alliance (SIMTA) as Qube Holdings Limited
Title of audit	Independent Audit
Date	13/04/2021

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- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2018)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

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

Name of Auditor	Steve Fermio
Signature	
Qualification	Bachelor of Science (Honours) Exemplar Global Auditor Number 110498
Company	WolfPeak Pty Ltd
Company address	Suite 2, Level 10, 82 Elizabeth Street Sydney NSW 2000