

INDEPENDENT AUDIT NO. 2 – AUDIT REPORT

MOOREBANK INTERMODAL PRECINCT WEST STAGE 2
– SSD 7709

APRIL 2022

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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), recently purchased by LOGOS Property Group Consortium (LOGOS), 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.

The Project has been modified on two occasions:

- 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.
- MOD-2 was approved on 30 September 2021 and relates to amendments to the extent of maintenance track requirements (condition B2(g)), enable location of power services within the roadway (condition B87), and amend Out of Hours Works Protocol requirements (condition B135(g)).

SIMTA has engaged a number of parties to help deliver the Project including (but not limited to) Aspect Environmental, Tactical, J. Wyndham Prince and Caras, each of whom manage / oversee

contractors and consultants responsible for construction, transport / haulage, waste and technical support etc. Georgiou is the principal earthworks and civils construction contractor on the Project. BMD are the principal contractor for works adjacent to Moorebank Avenue. Resource Co are the material haulage contractor. Richard Crookes Construction have been engaged as the principal contractor for the development of warehouses 5 and 6. Within this Audit Report, these parties may be referred to as SIMTA, Project team or the auditee/s.

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 second Independent Audit under the Independent Audit Program covering the period from April 2021 to March 2022 (the audit period). 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.

Works undertaken during the audit period includes: clearing of remaining vegetation across the site, bulk earthworks to raise site and levels, construction of warehouse pads, culvert and east west channel works are underway, as are ITS formation, detailed ring road, OSD and outlets. Foundations, footings, structure and services on warehouses 5 and 6 are also underway.

The overall outcome of the Independent Audit was positive. 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.

- All but one of the findings from the first Independent Audit are considered closed.
- For the second Independent Audit
 - There were 291 CoCs assessed.
 - Ten (10) non-compliances were identified. These relate to submission of the documentation to the Department, approval of a swept path analysis, submission of a noise assessment report, submission of Site Audit Statements and Site Audit

Reports, implementation of the CEMP and Sub-plans, notification of non-compliances, preparation of Construction Compliance Report 2 and submission of the first Independent Audit Report.

- Five (5) observations were identified. These relate to the commencement of construction works, dust deposition results, weed management, off site water flows at ABB and notification of a review of the strategies, plans and programs.

The Auditor would like to thank the auditees from Aspect Environmental, Tactical, Georgiou, BMD and Richard Crookes Construction (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), recently purchased by LOGOS Property Group Consortium (LOGOS), 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 two occasions:

- 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.
- MOD-2 was approved on 30 September 2021 and relates to amendments to the extent of maintenance track requirements (condition B2(g)), enable location of power services within the roadway (condition B87), and amend Out of Hours Works Protocol requirements (condition B135(g)).

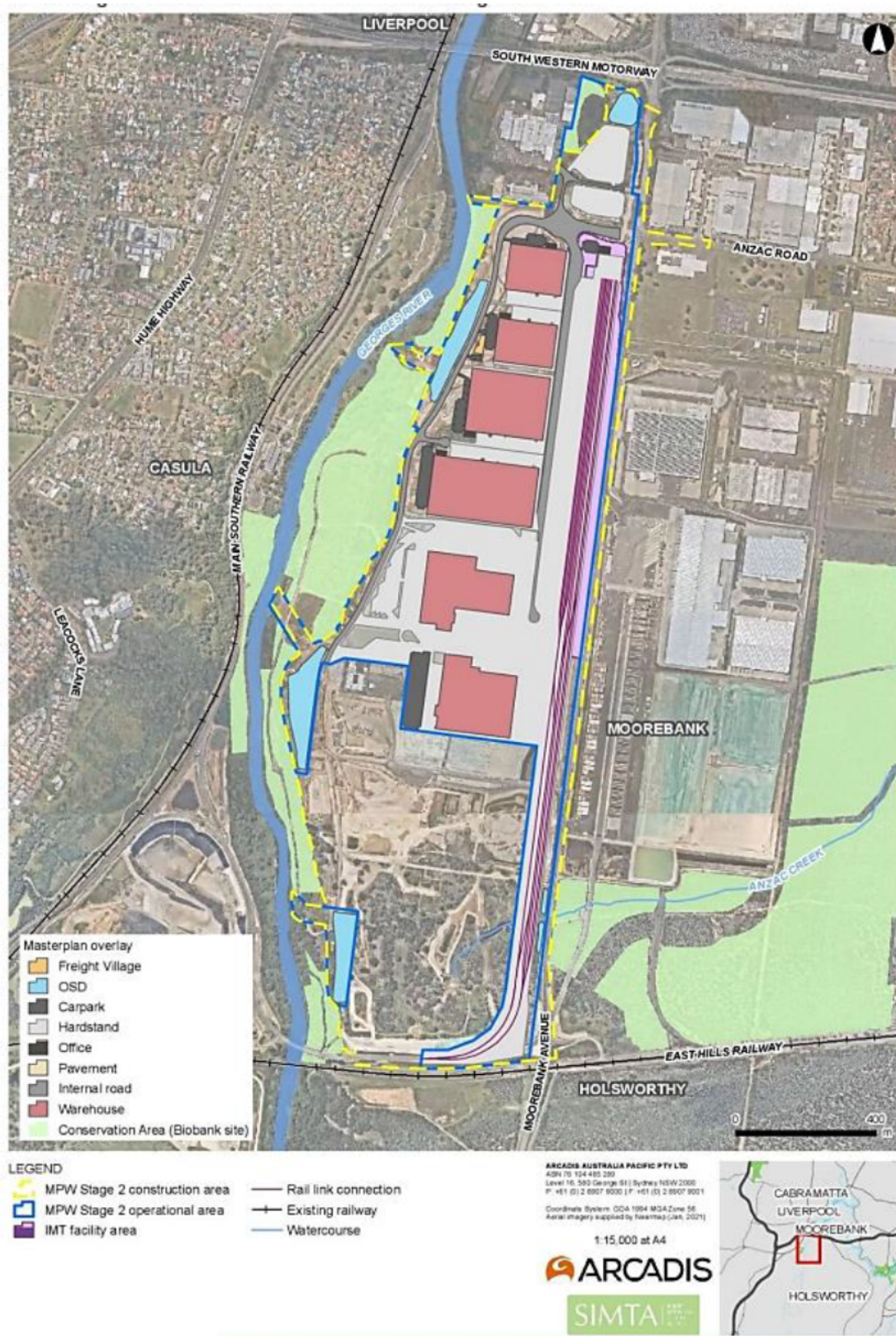


Figure 1: The Project (Source: Construction Environmental Management Plan, Moorebank Precinct West Stage 2, SIMTA, 14 January 2020)

SIMTA has engaged a number of parties to help deliver the Project including (but not limited to) Tactical, J. Wyndham Prince, Aspect Environmental and Caras, each of whom manage / oversee contractors and consultants responsible for construction, transport / haulage, waste and technical support etc. Georgiou is the principal earthworks and civils construction contractor on the Project. BMD are the principal contractor for works adjacent to Moorebank Avenue. Resource Co are the material haulage contractor. Richard Crookes Construction have been engaged as the principal contractor for the development of warehouses 5 and 6. Within this Audit Report, these parties may be referred to as SIMTA, Project team or the auditee/s.

Works undertaken since the first Independent Audit in April 2021 includes: clearing of remaining vegetation across the site, bulk earthworks to raise site and levels, construction of warehouse pads, culvert and east west channel works are underway, as are ITS formation, detailed ring road, OSD and outlets. Foundations, footings, structure and services on warehouses 5 and 6 are also underway.

The Auditor notes that there continues to concurrent works being conducted under SSD 7628 on land that either partially or entirely overlapped with land defined under SSD 7709, specifically the maintenance / redevelopment of the east-west channel and Moorebank Avenue Upgrade Works (MAUW).

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 April 2021 and March 2022 (the audit period).

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.

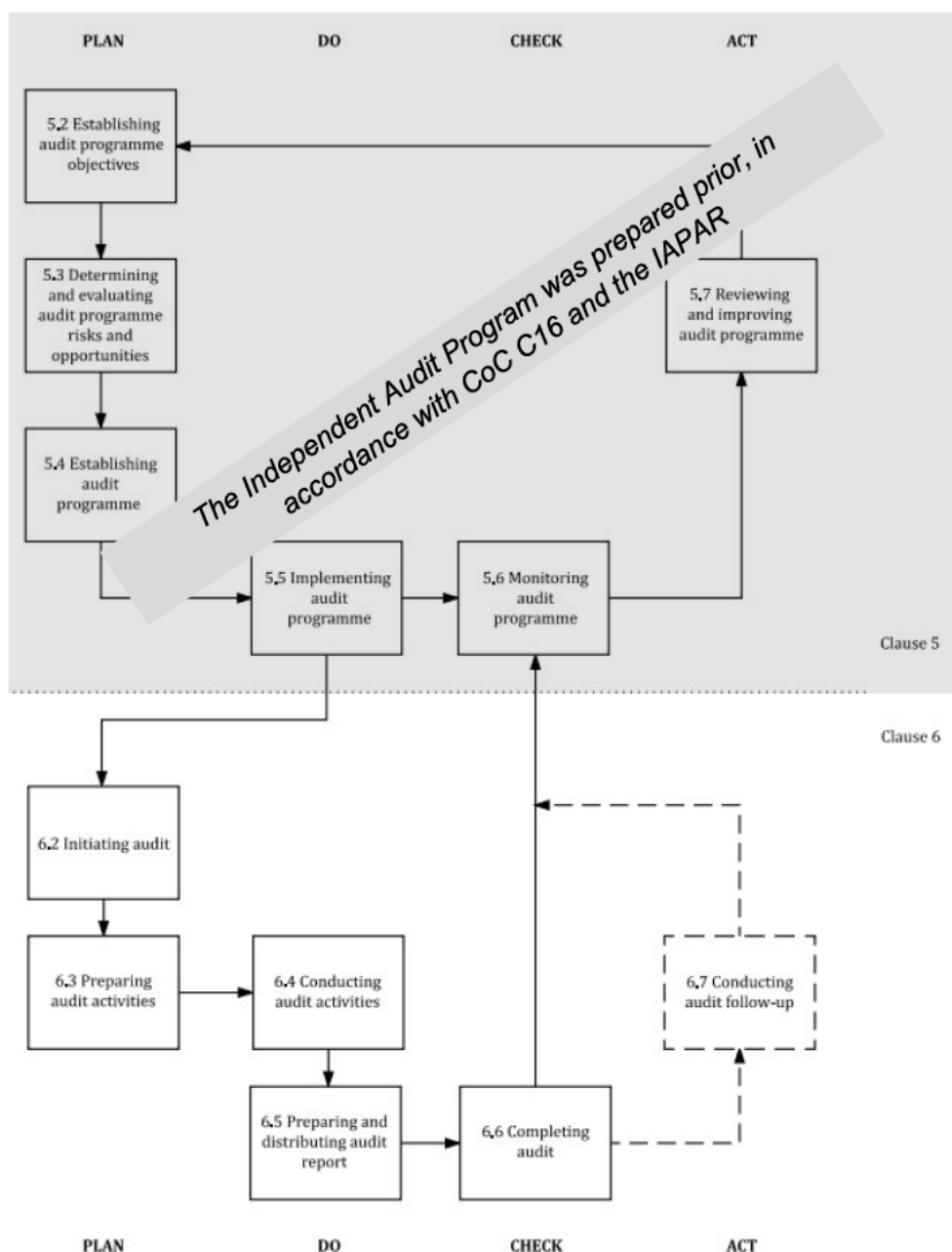


Figure 2 Audit activities overview (modified from AS/NZS ISO 19011). Subclause numbering refers to the relevant subclauses in the Standard.

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 28 February 2022 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>Verify whether works that have been nominated by the Project as MPW Stage 2 activities have been approved under the MPW Stage 2 SSD 7709.</p> <p>Considering recent weather events, check maintenance of ERSER controls and determine adequacy of those controls.</p>	These matters have been included in the Independent Audit. Refer Section 3.6 and Appendix A.
NSW EPA	No response.	-
Liverpool City Council	<p>Liverpool Council requested that consideration be given to</p> <ul style="list-style-type: none"> • Stormwater management (local flooding) • Noise • Traffic issues e.g. Anzac road use, congestion on M5 already, Moorebank Avenue delays; • Pollution of air – diesel fumes • Water quality into Georges River • Locations of air quality and noise monitoring, and why is this data not publicly published to the community. 	These matters have been included in the Independent Audit. Refer Section 3.6 and Appendix A.

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), including Modification 1 (approved 24 December 2020) and Modification 2 (approved 30 September 2021).
- *Construction Environmental Management Plan Moorebank Precinct West Stage 2, SIMTA, 10 August 2021 (the CEMP)*
- *Construction Soil and Water Management Plan SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev 12 (the CSWMP)*
- *Construction Traffic and Access Management Plan Moorebank Precinct West Stage 2, SIMTA, 14 September 2021 (the CTAMP)*
- *Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan, Renzo Tonin, 12 August 2021 (the CNVMP)*
- *Construction Flora and Fauna Management Plan Moorebank Precinct West Stage 2, SIMTA, 17 March 2021 (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 16 and 24 March 2022. The following personnel took part in the audit:

- [REDACTED], Director, Aspect Environmental (representing SIMTA)
- [REDACTED], Associate Director, Aspect Environmental (representing SIMTA)
- [REDACTED], Environment Manager, Georgiou
- [REDACTED], Environment Manager, BMD
- [REDACTED], Project Manager, Tactical
- [REDACTED], Project Engineer, Richard Crookes Construction
- [REDACTED], Cadet, Richard Crookes Construction.

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 16 and 24 March 2021.

2.2.6 Site inspection

The on-site audit activities took place on 16 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 using the descriptors from Table 2 of the IAPAR. These are replicated in Table 2 below.

Table 2: Compliance status descriptors

Status	Description
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 Tables 3 and 4, presents the status of the findings from the first Independent Audit and the non-compliances and observations from the second Independent Audit respectively. Actions in response to each of the findings are also presented. Detailed findings against each requirement are presented in Appendix A and B.

- All but one of the findings from the first Independent Audit are considered closed.
- For the second Independent Audit
 - There were 291 CoCs assessed.
 - Ten (10) non-compliances were identified. These relate to submission of the documentation to the Department, approval of a swept path analysis, submission of a noise assessment report, submission of Site Audit Statements and Site Audit Reports, implementation of the CEMP and Sub-plans, notification of non-compliances, preparation of Construction Compliance Report 2 and submission of the first Independent Audit Report.
 - Five (5) observations were identified. These relate to the commencement of construction works, dust deposition results, weed management, off site water flows at ABB and notification of a review of the strategies, plans and programs.

Table 3: Status of previously open findings and actions from the first Independent Audit.

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
IA1_1	A7	Observation	<p>Requirement: <i>Only VENM, ENM, or other imported fill material approved in writing by EPA is to be placed on the site.</i></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>	<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 trucks within the period to review their GPS reports.</p>	CARAS Prior to next audit	CLOSED The Moorebank Precinct West Import Fill Protocol has been updated to address these actions. Material import certificates were sighted during the second Independent Audit.
IA1_2	A57	Non-compliance	<p>Requirement: <i>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.</i></p> <p>Non-compliance: There is no evidence available to demonstrate the payment of the levy prior to issue of the three Construction Certificates obtained to date.</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 Certificate (whichever is sooner)	CLOSED The levy payments were sighted at the second Independent Audit.
IA1_3	A58	Observation	<p>Requirement: <i>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).</i></p> <p>Observation: 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).	SIMTA Within the timeframe specified by the Voluntary Planning Agreement	CLOSED The contributions were sighted at the second Independent Audit
IA1_4	B32	Observation	<p>Requirement: <i>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.</i></p>	Update the CPESC Reports to clearly show how areas of improvement have been addressed prior to removing them from subsequent reports.	CPESC (ErSed), Georgiou, BMD 31/05/21	CLOSED Updated CPESC reports were sighted during the second Independent Audit. The updated reports capture the actions

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status											
			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.	Include correct dates within the CPESC Reports.		recommended and completed.											
IA1_5	B84	Non-compliance	<p>Requirement: <i>The Applicant undertake the following road infrastructure upgrades, in accordance with the specified timing requirements as set out in Table 1.</i></p> <table><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><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-SKG-2003-P1 and RIUW-ARC-CV-SKG-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></table> <p>Non-compliance: 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-SKG-2003-P1 and RIUW-ARC-CV-SKG-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-SKG-2003-P1 and RIUW-ARC-CV-SKG-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														
IA1_6	B87	Observation	<p>Requirement: <i>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.</i></p> <p>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.</p>	Obtain approval from TfNSW on the 100% design.	SIMTA As soon as practicable	CLOSED Modification 2 updated this requirement to allow for services to be located in the verge, with the agreement of Council and / or TfNSW.											
IA1_7	B88	Observation	<p>Requirement: <i>Road design must incorporate structures for fauna movement between the Georges River riparian corridor and the Boot Land, either under or below the road.</i></p> <p>Observation: 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	CLOSED Modification 2 updated this requirement to allow for fauna movement to align with that identified in the Koala Management Plan.											
IA1_8	C14	Non-compliance	<p>Requirement: <i>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.</i></p> <p>Non-compliance: 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	CLOSED Evidence of notification of publication of Construction Compliance Report 1 was sighted at the second Independent Audit.											

Table 4: Findings and recommended actions from the second Independent Audit.

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
IA2_1	A3	Non-compliance	<p>Requirement: <i>The development may only be carried out:</i></p> <ul style="list-style-type: none"> a) <i>in compliance with the conditions of this consent;</i> b) <i>in accordance with all written directions of the Planning Secretary;</i> c) <i>in accordance with the EIS, Response to Submissions (RtS) and Consolidated assessment clarification responses; and</i> d) <i>in accordance with the management and mitigation measures in Appendix 2.</i> <p>Non-compliance: The Department provided written directions in relation to the submission of the first Independent Audit report (breach of C17b)), and the need to include the response to the findings and breach notices in the second Independent Audit. The Department considered that the first Independent Audit Report was due to be submitted within 20 weeks of January 2020 (not from December 2020 as stated by the auditees).</p> <p>The auditees self-reported a breach of B138 (failure to submit a noise assessment report to the Department) in accordance with C11 on 29/07/21. The Department elected to not take further regulatory action in relation to the matter.</p> <p>The auditees self-reported a breach of C4b) due to Georgiou having stored precast stormwater drainage structures and pipework outside of the construction boundary identified in Figure 1-3 of the Construction Environmental Management Plan (CEMP). Further, the non-compliance was not reported within the timeframe specified by C11. The Department elected to not take further regulatory action in relation to the matter.</p> <p>On 28/01/22 the Department issued a warning notice for breaches of B169 and B171 (failure to submit SAs as per the timing in the relevant conditions), as well as reference to commencing construction without necessary approvals having been in place). The Department elected to not take further regulatory action in relation to the matter.</p> <p>Non-compliances were also identified during the second Independent Audit. Refer below.</p>	<p>The Department elected to not take further regulatory action in relation to the matters in their correspondence to SIMTA dated 06/08/21, 28/01/22 and 01/02/22.</p> <p>Refer to the actions below to address the non-compliances identified in this audit.</p>	<p>SIMTA</p> <p>Within the timeframes specified for each non-compliance.</p>	OPEN
IA2_2	A26	Non-compliance	<p>Requirement: <i>The Applicant must provide a copy of the documentation given to the Certifying Authority under Condition A25 [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] to the Planning Secretary within seven days after the Certifying Authority accepts it.</i></p> <p>Non-compliance: The Auditor requested evidence to demonstrate that the information was submitted to the Department as is required by this condition. The auditees stated that evidence of submission to the Department is pending.</p> <p>The Auditor notes that in response to this finding in the draft Audit Report, the auditee stated that all submissions to the Certifier was provided via the Department's e-planning portal. The Auditor is of the view that the use of this e-planning portal for submissions to the Certifier does not constitute submission to the Planning Secretary in accordance with this condition.</p>	<p>Submit the documentation required under A25 to the Department (or retrieve evidence that this has been done).</p>	<p>SIMTA</p> <p>30/05/22</p>	OPEN
IA2_3	A46	Observation	<p>Requirement: <i>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:</i></p> <ul style="list-style-type: none"> a) <i>any work;</i> 	<p>The Department elected to not take further regulatory action in relation to the matters in their correspondence to SIMTA dated 06/08/21, 28/01/22 and 01/02/22.</p>	<p>NA</p>	CLOSED

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			<p>b) vegetation clearing required to conduct remediation;</p> <p>c) remediation;</p> <p>d) low impact works;</p> <p>e) construction;</p> <p>f) operation;</p> <p>g) cessation of operations; and</p> <p>h) decommissioning.</p> <p>Observation: The Department provided written directions to SIMTA on 28/01/22 and 01/02/22 which (among other things) indicated that the Department considered that construction commenced in January 2020 (not December 2020 as stated by the auditee during the first Independent Audit).</p>			
IA2_4	B46	Observation	<p>Requirement: <i>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:</i></p> <p>a) 2 g/m2/month maximum increase in deposited dust level; and</p> <p>b) 4 g/m2/month maximum deposited dust level.</p> <p>Observation: The sighted dust deposition results are satisfactory with the exception of DDG-W-04-21 (5.4g/m2/month) for November 2021. Monitoring is conducted on the boundary of the MPW site. Whether this has resulted in an exceedance at the nearest private property cannot be verified.</p>	The Auditor observes that boundary monitoring has been described in the approved combined MPW2 and MPW3 Project CEMP suite and, therefore, the Department has not required at receiver dust deposition monitoring. Monitoring will continue through construction.	NA	CLOSED
IA2_5	B83	Observation	<p>Requirement: <i>The Applicant must:</i></p> <p>a) implement measures to manage pests, vermin and declared noxious weeds on the site; and</p> <p>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.</p> <p>Observation: In March 2022 the ER identified the presence of (non-priority) weeds on stockpiles which require treatment.</p>	The (non-priority) weeds were treated during the first available dry weather period on 26-27/04/22	SIMTA	CLOSED
IA2_6	B85	Non-compliance	<p>Requirement: <i>The swept path of the longest vehicle entering and exiting the subject site, as well as maneuverability 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.</i></p> <p>Non-compliance: Permanent built surface works at warehouse 6 have commenced. A swept path analysis has been prepared and was submitted to the Department as part of the MOD-1 and MOD-2 applications (both of which were approved by the Department. However, RMS (TfNSW) provided advice on the MOD-2 application but has not provided approval as is required by this condition.</p>	Obtain approval from TfNSW of the swept path analysis report.	SIMTA Prior to the next audit.	OPEN

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
IA2_7	B91	Observation	<p>Requirement: <i>The Applicant must:</i></p> <ul style="list-style-type: none"> a) <i>consult with the owners/occupiers of the ABB site throughout construction and operation;</i> b) <i>provide details of construction works adjacent to the ABB site prior those works occurring; and</i> c) <i>ensure the proposal does not adversely impact overland flow paths or existing stormwater infrastructure on the ABB site.</i> <p>Observation: Whilst the design is such that overland flow during operations would not impact ABB, there were three complaints from ABB recorded during the audit period relating to water leaving the SIMTA site and entering ABBs property. Two of the complaints relate to overland flow during significant storm events, one complaint relates to a release from a hose.</p>	SIMTA have responded to each complaint from ABB. No complaints have been received from ABB since 06/05/21.	NA	CLOSED
IA2_8	B138	Non-compliance	<p>Requirement: <i>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.</i></p> <p>Non-compliance: The auditees self-reported a breach of B138 (failure to submit a noise assessment report to the Department) in accordance with C11 on 29/07/21.</p>	The Department elected to not take further regulatory action in relation to the matter.	NA	CLOSED
IA2_9	B169	Non-compliance	<p>Requirement: <i>Upon completion of the remediation required in relation to Stage 1 (SSD 5066) and this development and prior to the commencement of construction (other than the vegetation clearing required for remediation) in relation to this approval (i.e. Stage 2 SSD 7709), the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement A for the whole site, prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017, which demonstrates the site is suitable for its intended land uses under Stage 2 SSD 7709 including for the:</i></p> <ul style="list-style-type: none"> a) <i>importation and placement of fill,</i> b) <i>construction of a warehouse estate including warehouse buildings,</i> c) <i>development of an intermodal terminal, and</i> d) <i>protection of the conservation area including riparian corridor and biodiversity offset sites.</i> <p>Non-compliance: On 28/01/22 the Department issued a warning notice for breach of B169 due to the Site Audit Statement and Site Audit Report having been submitted after the commencement of construction on SSD 7709.</p>	The Department elected to not take further regulatory action in relation to the matter.	NA	CLOSED
IA2_10	B171	Non-compliance	<p>Requirement: <i>Upon completion of importation and placement of fill and prior to construction of permanent built surface works, the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement A for the whole site, prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017, which demonstrates the site is suitable for its intended land uses under MPW Stage 2 SSD 7709.</i></p> <p>Non-compliance: On 28/01/22 the Department issued a warning notice for breach of B171 due to a Site Audit Statement and Site Audit Report not having been submitted prior to the commencement of permanent built surface works on warehouse JN (warehouse 6).</p>	The Department elected to not take further regulatory action in relation to the matter.	NA	CLOSED

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
IA2_11	C4	Non-compliance	<p>Requirement: <i>The Applicant must:</i></p> <ul style="list-style-type: none"> a) <i>not commence construction of the development until the CEMP is approved by the Planning Secretary; and</i> b) <i>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.</i> <p>Non-compliance: The auditees self-reported a breach of C4b) due to Georgiou having stored precast stormwater drainage structures and pipework outside of the construction boundary identified in Figure 1-3 of the Construction Environmental Management Plan (CEMP). Further, the non-compliance was not reported within the timeframe specified by C11.</p> <p>In addition to the above:</p> <ul style="list-style-type: none"> • Section 4.2.2 of the CEMP requires weekly environmental inspections to be completed. Richard Crookes Construction did not undertake inspections on a weekly basis between 24/11/21 and 12/01/22. • Section 8.2 of the CSWMP requires 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. The Richard Crookes Construction water discharge file / register does not present the results for each discharge. • Section 7.10 of the CASSMP requires daily inspections of stockpiles for visual signs of seepage impacted by ASS including milky waters, iron staining and sulfur odour. Inspections are not documented as occurring daily, however the stockpiles of PASS/ASS are placed in an area fully contained so seepage risk is controlled. A small amount of localized odour was observed on site (not off site) and there does not appear to be documented odour inspections occurring. The Auditor is not aware of any odour complaints having been raised. 	<p>The Department elected to not take further regulatory action in relation to the matter placement of materials outside the construction boundary.</p> <p>The non-conformities with the CEMP should be responded to in line with section 4.4 of the CEMP.</p>	<p>SIMTA</p> <p>Within the timeframes specified in Section 4.4 of the CEMP.</p>	OPEN
IA2_12	C8	Observation	<p>Requirement: <i>Within three months of:</i></p> <ul style="list-style-type: none"> a) <i>the submission of an incident report under Condition C10;</i> b) <i>the submission of an Independent Audit under Condition C17;</i> c) <i>the approval of any modification of the conditions of this consent; or</i> d) <i>the issue of a direction of the Planning Secretary under Condition A3(b) which requires a review,</i> <p><i>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.</i></p> <p>Observation: There was no review or notification of a review within 3 months of the submission of the Independent Audit. That being said a review of the plans did occur during the audit and the updated plans were submitted around that time.</p>	<p>The revised plans were approved by the Department in May 2021, which was within 3 months of submission of the first Independent Audit.</p>	NA	CLOSED
IA2_13	C11	Non-compliance	<p>Requirement: <i>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.</i></p> <p>Non-compliance: The auditees self-reported a breach of C4b) due to Georgiou having stored precast stormwater drainage structures and pipework outside of the construction boundary identified in Figure 1-3 of the Construction Environmental Management Plan (CEMP). The non-compliance was not reported within the timeframe specified by C11.</p>	<p>The Department elected to not take further regulatory action in relation to the matter.</p>	NA	CLOSED

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			Further to the above, the Auditor observes that the breach against B171 (as set out in the Department's letter dated 28/01/22) was not considered a non-compliance by the auditee and, therefore, was not notified in accordance with this condition.			
IA2_14	C14	Non-compliance	<p>Requirement: <i>Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).</i></p> <p>Non-compliance: The Compliance Monitoring and Reporting Program, and the Department's Compliance Reporting Post Approval Requirements, identifies construction compliance reports to be prepared at intervals of 6 months from the date of commencement of construction. Construction Compliance Report 1 was finalised on 21/07/21. Construction Compliance Report 2 was therefore due to be finalised by 21/01/22. Construction Compliance Report 2 is still being prepared.</p> <p>In response to this finding in the draft Audit Report, the auditees stated that they do not consider this to be a non-compliance on the basis that 'CCR is being prepared and there is no timeframe on submission in the Consent, the Departments Compliance Reporting Post Approval Requirements (2018) or the MPW Stage 2 Compliance Monitoring and Reporting Program. The 6-month timeframe relates to the period of reporting. CCR1 Covered December 2020 to May 2021 and CCR2 will cover June 2021 to November 2021. Submission of report has been held up due to a DPE request to include additional information not previously required to be included in the CCR.'</p> <p>The Auditor disagrees with the auditees position. The second paragraph of Section 2.1 of the Compliance Reporting Post Approval Requirements (2018) states that the timeframes and frequencies relate to submission of the Compliance Reports. Further there was no evidence provided to show that the Department had requested further information to be included in report (or provided an extension to allow this to occur).</p>	Finalise Construction Compliance Report 2.	SIMTA As soon as possible.	OPEN
IA2_15	C17	Non-compliance	<p>Requirement: <i>Independent Audits of the development must be carried out in accordance with:</i></p> <ul style="list-style-type: none"> a) <i>the Independent Audit Program submitted to the Department and the Certifying Authority under condition C16 of this consent; and</i> b) <i>the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).</i> <p>Non-compliance: The Department provided written directions in relation to the submission of the first Independent Audit report (breach of C17b)), and the need to include the response to the findings and breach notices in the second Independent Audit. The Department considered that the first Independent Audit Report was due to be submitted within 20 weeks of January 2020 (not from December 2020 as stated by the auditees).</p>	This second Independent Audit includes details on the response to the findings from the first Independent Audit and breach notices (as is standard for audits conducted under the IAPAR).	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, BMD and RCC as the principal contractors on the Project 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

The Auditor is aware of the following notices from the Department:

- On 6 August 2021 the Department acknowledged that the auditees self-reported a breach of B138 (failure to submit a noise assessment report to the Department) in accordance with C11 on 29 July 2021. The Department elected to not take further regulatory action in relation to the matter.
- On 28 January 2022 the Department acknowledged that the auditees self-reported a breach of C4b) due to Georgiou having stored precast stormwater drainage structures and pipework outside of the construction boundary identified in Figure 1-3 of the Construction Environmental Management Plan (CEMP). It is noted that the non-compliance was not reported within the timeframe specified by C11. The Department elected to not take further regulatory action in relation to the matter.
- On 28/01/22 the Department issued a warning notice for breaches of B169 and B171 (failure to submit SASs as per the timing in the relevant conditions), as well as reference to commencing construction without necessary approvals having been in

place). The Department elected to not take further regulatory action in relation to the matter.

- On 1 February 2022 the Department provided written directions in relation to the submission of the first Independent Audit report (breach of C17b)), and the need to include the response to the findings and breach notices in the second Independent Audit. The Department considered that the first Independent Audit Report was due to be submitted within 20 weeks of January 2020 (not from December 2020 as stated by the auditees).

The Auditor is not aware of any notices from other agencies.

3.6 Other matters considered relevant by the Auditor or DPE

3.6.1 Matters considered relevant by the Auditor

3.6.1.1 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.

3.6.1.2 Matters requested to be considered by Council

Stormwater management (local flooding) and water quality into Georges River

The Auditor has reviewed the stormwater management conditions, the condition of the site, the water quality discharge records, the inspection reports from the Environmental Representative and the Certified Professional in Erosion and Sediment Control and correspondence with ABB. The Auditor is of the view that stormwater has generally been well managed on the site, noting however:

- There were three complaints from ABB recorded during the audit period relating to water leaving the SIMTA site and entering ABBs property. Two of the complaints relate to overland flow during significant storm events, one complaint relates to a release from a hose. SIMTA have responded to each. No complaints have been received from ABB since 6 May 2021.
- The storm events from March 2021 and February and March 2022 resulted in the Georges River running to top of bank (causing significant erosion and damage in and around the stormwater outlet structures) and overtopping of erosion and sediment controls. Refer to the photos in Appendix F for examples of the impacts from the 2022 events. The Auditor notes that the EPA acknowledged the significance of the 2022 events and elected to waive the need for licensees to report pollution events which have occurred as a direct result of this flooding until 14 March 2022.

Noise

According to the complaints register, and the assessment of Out of Hours Works applications, noise does not appear to be a material issue for SSD 7709.

Traffic issues e.g. Anzac road use, congestion on M5 already, Moorebank Avenue delays

The EIS construction traffic assessment predicted that the number of truck movements would vary between 6 and 740 truck movements a day, depending on the construction works period. Truck movements are not required to be counted during construction. However the Auditor notes that condition A9 specifies the total amount of fill permitted to be brought to site each day (based largely on the number of vehicle movements predicted in the EIS). Daily totals are recorded through the two weighbridges. These are collated by CARAS as required. According to the records, the largest single day of import since July 2021 (when the consents were modified to reduce the total amount of fill permitted to be brought to site down to 13,000m³/day) was 3,600t across both MPE and MPW.

Pollution of air – diesel fumes

According to the complaints register this does not appear to be a material issue with the community. According to the plant inspection and maintenance regimes on site, plant and equipment appears to be maintained within the nominated service check periods.

One dust related complaint was received during the audit period (in November 2021). The Project team responded to the complaint by noting that winds were recorded at 80-90kmh on the day of the complaint and dust controls were in place. The sighted dust deposition results for the audit period are satisfactory with the exception of DDG-W-04-21 (5.4g/m²/month) for November 2021. Monitoring is conducted on the boundary of the MPW site. Whether this has resulted in an exceedance at the nearest private property cannot be verified.

No other air quality complaints have been recorded during the audit period.

Locations of air quality and noise monitoring, and why is this data not publicly published to the community

The Auditor does acknowledge the shortcomings of comparing boundary results to at-receiver criteria (such is the case with dust deposition monitoring) but notes the barriers to establishing at-receiver monitoring stations. Further, at-receiver monitoring records total ambient conditions, not just emissions from the site. Ultimately, the proponent nominated the air quality and noise monitoring locations in the CEMP and CNVMP based on practicality and value of results. These were assessed and approved by the Department in 2020 (and again in 2021).

With regards to publication of results. The Auditor draws attention to C21 a)vii) and the publication of the summary of monitoring results available on the Project website: <https://simta.com.au/mpw/>

3.6.2 Matters considered relevant by the Department

Verify whether works that have been nominated by the Project as MPW Stage 2 activities have been approved under the MPW Stage 2 SSD 7709

Historically, there has been substantial complexity around works occurring under the 'Early Works' scope approved under SSD 5066, works under SSD 7628 and the works approved under SSD 7709.

The Auditor observes that concurrent works are being undertaken for SSD 7628 on land that either partially or entirely overlaps with land defined under SSD 7709, specifically the maintenance / redevelopment of the east-west channel and Moorebank Avenue Upgrade Works (MAUW). These overlaps present complexities in verifying whether works are compliant with the relevant consent.

The Auditor also observes that the issue of material import (previously identified by the auditees as occurring under SSD 5066) has been agreed by both the auditee and the Department as having occurred under SSD 7709 without the relevant pre-construction obligations having been satisfied (as referenced in the Department's letter dated 28 January 2022). The Department elected to not take further regulatory action in relation to the matter and the Auditor observes that material import is now occurring in accordance with SSD 7709.

As far as the Auditor can ascertain in the confines of a periodic audit, the works being undertaken are consistent with that described by, and permissible under, the consent, noting however the non-compliances identified in Section 3.2.

Considering recent weather events, check maintenance of ERSED controls and determine adequacy of those controls

Refer to Section 3.6.1.2 above regarding stormwater management. Refer to the photos in Appendix F for examples of the impacts from the 2022 storm events.

3.7 Complaints

A public facing complaints register is being maintained for the entire MLP development. Complaints in the register presented are not specific to SSD 7709 (i.e.: a complaint would be raised about the broader development, rather than any activity associated with the SSD 7709 and SIMTA would investigate accordingly). The public facing complaints register is available on the Project website: <https://simta.com.au/project-wide/>

A more detailed complaints register is provided to the Department on a regular basis. This register provides greater insight into the nature of each complaint and the response from SIMTA. This register identified five (5) complaints having been received during the audit period that relate to SSD 7709. Of the five, three related to water impacts on ABB (refer Section 3.6.1.2 above), one related to warehouse design and one related to dust emissions. The Auditor considers the Project team's response to each to be adequate. According to the detailed register, there have no complaints attributable to SSD 7709 since November 2021.

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 5.

Table 5: 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 been reduced substantially. Refer A9.	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>	The noise monitoring data indicates that noise emissions are consistent with that predicted in the EIS. Out of Hours Works appear to have been assessed in accordance with the consent and the CNVMP. No noise complaints were received in relation to SSD 7709.	Y

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period	Consistent (Y/N)
Air quality	<p>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>	<p>Dust deposition gauge monitoring demonstrates that deposited dust levels are compliant with the applicable criteria, with the exception of the elevated result for November 2021.</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
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

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period	Consistent (Y/N)
Stormwater and flooding	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>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> <p>The storm events from March 2021 and February and March 2022 resulted in the Georges River running to top of bank (causing significant erosion in and around the stormwater outlet structures) and overtopping of erosion and sediment controls. The Auditor notes that the EPA acknowledged the significance of the 2022 events and elected to waive the need for licensees to report pollution events which have occurred as a direct result of this flooding until 14 March 2022.</p>	Y
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> <p>Refer to B169 and B171 regarding the submission of Site Audit Statements and Site Audit Reports.</p>	Y
Aboriginal heritage	The construction of the Proposal would result in direct impacts to MA6, MA7, MA10, MA14, MPW Stage 2 Terrace PAD and the Tertiary Terrace.	The Biosis Clearance Report confirms completion of salvage in accordance with the Salvage Strategy.	Y

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period	Consistent (Y/N)
Non-Aboriginal heritage	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.	No impacts identified.	Y
Greenhouse gases	The total greenhouse gas (GHG) emissions associated with the construction of the Proposal are expected to be 32,724 tonnes of carbon dioxide equivalents (tCO ₂ -e) during the 36 month construction period.	There is currently no requirement to monitor or remodel GHG emissions and this does not form part of this audit. Nevertheless plant and equipment maintenance appears to be occurring in an appropriate manner.	Y

4. CONCLUSIONS

This Audit Report presents the findings from the second Independent Audit for the construction period, covering the period from April 2021 to March 2022.

The overall outcome of the Independent Audit was positive. 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:

- All but one of the findings from the first Independent Audit are considered closed.
- For the second Independent Audit
 - There were 291 CoCs assessed.
 - Ten (10) non-compliances were identified. These relate to submission of the documentation to the Department, approval of a swept path analysis, submission of a noise assessment report, submission of Site Audit Statements and Site Audit Reports, implementation of the CEMP and Sub-plans, notification of non-compliances, preparation of Construction Compliance Report 2 and submission of the first Independent Audit Report.
 - Five (5) observations were identified. These relate to the commencement of construction works, dust deposition results, weed management, off site water flows at ABB and notification of a review of the strategies, plans and programs.

The Auditor would like to thank the auditees from Aspect Environmental, Tactical, Georgiou, BMD and Richard Crookes Construction (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	<p>The development may only be carried out:</p> <ul style="list-style-type: none"> 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. 	<p>This consent</p> <p>Evidence referred to elsewhere in this Table and Appendix B</p> <p>Interview with auditees 24/03/22</p> <p>Site inspection 16/03/22</p> <p>Moorebank Precinct West - Stage 2 Proposal Environmental Impact Statement – (SSD16-7709), Arcadis, October 2016</p> <p>Moorebank Precinct West - Stage 2 Proposal Response to Submissions – SSD 16_7709, Arcadis, July 2017 (and clarifications)</p> <p>The mitigation measures submitted to the Department 02/11/18 (incorporated into the approved CEMP and sub-plans)</p> <p>Construction Certificate, McKenzie Group, 10/05/21 (covers Site-wide earthworks, site wide stormwater, site wide inground services, and ground slabs to high bay associated with the JN Building at Moorebank Logistics Park Western Stage 2)</p> <p>Construction Certificate, McKenzie Group, 13/07/21 (covers JN Building Main Carpark & Warehouse Building Structure and Façade including: • Main carpark & warehouse superstructure (including Steel Shell) • Main warehouse wall and roof cladding, • Remaining ground slab to the main warehouse</p> <p>Construction Certificate, McKenzie Group, 22/10/21 (covers Balance of works to JN Building, excluding landscaping, air bridge, automated racking and ancillary buildings</p> <p>Construction Certificate, McKenzie Group, 10/01/22 (covers Landscaping, air bridge, automated racking and ancillary buildings</p> <p>Email DPE to SIMTA, 01/02/22 (notice regarding late submission of the first Independent Audit report (breach of C17b)), and the need to include the response to the</p>	<p>The Project is being constructed in general accordance with the EIS and RtS and list of responses to clarifications. The Certifier has verified that relevant design and BCA requirements are being applied.</p> <p>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.</p> <p>Non-compliance: The Department provided written directions in relation to the submission of the first Independent Audit report (breach of C17b)), and the need to include the response to the findings and breach notices in the second Independent Audit. The Department considered that the first Independent Audit Report was due to be submitted within 20 weeks of January 2020 (not from December 2020 as stated by the auditees).</p> <p>The auditees self reported a breach of B138 (failure to submit a noise assessment report to the Department) in accordance with C11 on 29/07/21. The Department elected to not take further regulatory action in relation to the matter.</p> <p>The auditees self reported a breach of C4b) due to Georgiou having stored precast stormwater drainage structures and pipework outside of the construction boundary identified in Figure 1-3 of the Construction Environmental Management Plan (CEMP). Further, the non-compliance was not reported within the timeframe specified by C11. The Department elected to not take further regulatory action in relation to the matter.</p> <p>On 28/01/22 the Department issued a warning notice for breaches of B169 and B171 (failure to submit SASS as per the timing in the relevant conditions), as well as reference to commencing construction without necessary approvals having been in place). The Department elected to not take further regulatory action in relation to the matter.</p>	NC
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Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<p>findings and breach notices in the second Independent Audit)</p> <p>Email, DPE to SIMTA, 06/08/21 (notice regarding self report breach of B138)</p> <p>Email DPE to SIMTA, 28/01/22 (notice of self report of working outside the approved construction boundary and breach of C4b))</p> <p>Letter DPE to SIMTA, 28/01/22 (notice of breach of B169 and B171 (failure to submit SASs as per the timing in the relevant conditions), as well as reference to commencing construction without necessary approvals having been in place).</p>		
A4	<p>Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:</p> <p>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</p> <p>b) the implementation of any actions or measures contained in any such document referred to in condition A4(a).</p>	Interview with auditees 24/03/22	It is understood that no directions have been received, noting the breach notices referred to in A3.	NT
A5	<p>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.</p> <p><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></p>	-	Noted. This audit assess compliance with the consent first and foremost. No issues observed.	NT
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 16/03/22	The consent was granted on 11/11/19. Project works had commenced in 2021.	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>Moorebank Precinct West Import Fill Protocol, CARAS, 14/07/21</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>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 16/03/22</p> <p>Interview with auditees 24/03/22</p> <p>Recovered Aggregate Test Report, Resource Laboratories, 31/01/22, 04/02/22</p> <p>Recovered Aggregate test Report, Envirolab, 29/09/21</p> <p>VENM Classification Report for 47 Spurway Drive, Baulkham Hills, EI Australia, 09/12/21</p> <p>VENM Waste Classification Certificate for 52 Scott Street Liverpool, EI Australia, 06/05/21</p> <p>VENM Waste Classification Certificate for 227-241 Hezlett Rd Kellyville, EI Australia, 23/11/21</p> <p>Metro Demolition Recovered Aggregate Assessment, SESL, 18/06/20</p> <p>Recovered aggregate test report, Boral, 01/11/21</p> <p>Product Compliance Statement, Benedicts Sandy Point Quarry (no date)</p> <p>Letter, Hodgson Quarries to Parklea Sand and Soil (no date)</p> <p>Letter EPA to Cement and Concrete Aggregates Australia, 06/03/20 (EPA statement that VENM Cert not required for quarried material)</p>	<p>The CARAS Moorebank Precinct West Import Fill Protocol sets out the requirements for assessment, hold point, material tracking, criteria, non-conformance / corrective actions.</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>	C
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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 .	CARAS, material Import Daily totals.xls, current to 08/02/22	The total import of uncompacted fill for MPW2 currently sits at ~1,208,000m ³ . Daily totals are recorded through the two weighbridges. These are collated by CARAS as required. According to the records, the largest single day of import since July 2021 (when the consents were modified) was 3,600t across both sites..	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.	CARAS, material Import Daily totals.xls, current to 08/02/22 Letter Aspect to IPC, 19/07/21 Notice of Modification: Condition A9 of SSD 7709 Moorebank Precinct West Stage 2	A9 has been adjusted down to 13,000m ³ per day pursuant to The total import of uncompacted fill for MPW2 currently sits at ~1,208,000m ³ . Daily totals are recorded through the two weighbridges. These are collated by CARAS as required. According to the records, the largest single day of import since July 2021 (when the consents were modified) was 3,600t across both sites..	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.	Construction Flora and Fauna Management Plan Moorebank Precinct West Stage 2, 17/03/21 Interview with auditees 24/03/22 Site inspection 16/03/22	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>	Construction Flora and Fauna Management Plan Moorebank Precinct West Stage 2, 17/03/21 Interview with auditees 24/03/22 Site inspection 16/03/22	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 16/03/22	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 16/03/22	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 16/03/22	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 16/03/22	The project is under construction.	NT
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 16/03/22	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 16/03/22	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 16/03/22	The project is under construction.	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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 16/03/22	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 16/03/22	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 16/03/22	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 16/03/22	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 16/03/22	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 16/03/22	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 24/03/22	No demolition works have occurred under SSD 7709. These occurred under SSD 5066.	NT
Structural Adequacy				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A23	<p>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.</p> <p>Note:</p> <ul style="list-style-type: none"> 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. 	<p>Site inspection 16/03/22</p> <p>Construction Certificate, McKenzie Group, 10/05/21 (covers Site-wide earthworks, main warehouse foundations, site wide stormwater, site wide inground services, and ground slabs to high bay associated with the JN Building at Moorebank Logistics Park Western Stage 2)</p> <p>Construction Certificate, McKenzie Group, 13/07/21 (covers JN Building Main Carpark & Warehouse Building Structure and Façade including: <ul style="list-style-type: none"> Main carpark & warehouse superstructure (including Steel Shell) Main warehouse wall and roof cladding, Remaining ground slab to the main warehouse </p> <p>Construction Certificate, McKenzie Group, 22/10/21 (covers Balance of works to JN Building, excluding landscaping, air bridge, automated racking and ancillary buildings</p> <p>Construction Certificate, McKenzie Group, 10/01/22 (covers Landscaping, air bridge, automated racking and ancillary buildings</p>	<p>Woolworths, warehouse 6 is under construction. The Certifier has verified compliance with the BCA through issue of Construction Certificates.</p>	C
External Walls and Cladding				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A24	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	<p>Site inspection 16/03/22</p> <p>Construction Certificate, McKenzie Group, 10/05/21 (covers Site-wide earthworks, main warehouse foundations, site wide stormwater, site wide inground services, and ground slabs to high bay associated with the JN Building at Moorebank Logistics Park Western Stage 2)</p> <p>Construction Certificate, McKenzie Group, 13/07/21 (covers JN Building Main Carpark & Warehouse Building Structure and Façade including: <ul style="list-style-type: none"> ▪ Main carpark & warehouse superstructure (including Steel Shell) ▪ Main warehouse wall and roof cladding, ▪ Remaining ground slab to the main warehouse </p> <p>Construction Certificate, McKenzie Group, 22/10/21 (covers Balance of works to JN Building, excluding landscaping, air bridge, automated racking and ancillary buildings)</p> <p>Construction Certificate, McKenzie Group, 10/01/22 (covers Landscaping, air bridge, automated racking and ancillary buildings)</p>	Woolworths, warehouse 6 is under construction. The Certifier has verified compliance with the BCA (including external walls and cladding) through issue of Construction Certificates.	C

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.	<p>Site inspection 16/03/22</p> <p>Construction Certificate, McKenzie Group, 10/05/21 (covers Site-wide earthworks, main warehouse foundations, site wide stormwater, site wide inground services, and ground slabs to high bay associated with the JN Building at Moorebank Logistics Park Western Stage 2)</p> <p>Construction Certificate, McKenzie Group, 13/07/21 (covers JN Building Main Carpark & Warehouse Building Structure and Façade including: • Main carpark & warehouse superstructure (including Steel Shell) • Main warehouse wall and roof cladding, • Remaining ground slab to the main warehouse</p> <p>Construction Certificate, McKenzie Group, 22/10/21 (covers Balance of works to JN Building, excluding landscaping, air bridge, automated racking and ancillary buildings</p> <p>Construction Certificate, McKenzie Group, 10/01/22 (covers Landscaping, air bridge, automated racking and ancillary buildings</p>	Woolworths, warehouse 6 is under construction. The Certifier has verified compliance with the BCA (including external walls and cladding) through issue of Construction Certificates.	C
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.	<p>Site inspection 16/03/22</p> <p>SSD7709_MPW2_IA2022_RFII[95] (client response to Request for Information)</p>	Non-compliance: The Auditor requested evidence to demonstrate that the information was submitted to the Department as is required by this condition. The auditees stated that evidence of submission to the Department is pending.	NC
Applicability of Guidelines				
A27	<p>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.</p> <p>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.</p>	Interview with auditees 24/03/22	<p>The CEMP and sub-plan suite of docs refer to the applicable standards and guidelines.</p> <p>The auditees advise that there have been no formal directions have been issued to the Project.</p>	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. 	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 6, March 2021 and Appendix Rev 17, Reid Campbell.</p> <p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 (and update 14/09/21)</p> <p>MPWS2 Aboriginal Archaeological Salvage Strategy, Artefact, 14/01/20</p> <p>Moorebank Precinct West Stage 2 Koala Management Plan (KMP), Cumberland Ecology, 12/03/20</p> <p>Construction Flora and Fauna Management Plan Moorebank Precinct West Stage 2, 17/03/21</p> <p>Contamination Management Plan Moorebank Precinct West, EP Risk, 30/07/20</p> <p>Construction Traffic And Access Management Plan Moorebank Precinct West Stage 2 and Moorebank Precinct West Stage 3, SIMTA, 14/09/21 (the CTAMP) – Section 1.4 (Consultation).</p>	<p>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.</p> <p>The CEMP and sub-plans underwent an update to incorporate MPW3 (refer B19 of SSD 10431) and only the CTAMP was required to be consulted on. This was completed.</p>	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.	<p>Interview with auditees 24/03/22</p> <p>CCC Meeting Minutes https://simta.com.au/project-wide/</p>	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 .	<p>Letter DPIE to SIMTA, 06/02/20</p> <p>Letter DPIE to SIMTA, 04/12/19</p>	The Department approved the expansion of the previous CCC to cover SSD 7709.	C
Community Communication				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A31	<p>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:</p> <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. 	<p>Letter DPIE to SIMTA, 06/02/20</p> <p>Community Communication Strategy Moorebank Precinct West Stage 2 29/06/21</p>	<p>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). It was updated in June 2021 to incorporate MPW3 (refer B19 of SSD 10431)</p>	C
A32	<p>The Applicant must:</p> <ul style="list-style-type: none"> 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. 	<p>Letter DPIE to SIMTA, 06/02/20</p> <p>Community Communication Strategy Moorebank Precinct West Stage 2 29/06/21</p>	<p>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). It was updated in June 2021 to incorporate MPW3 (refer B19 of SSD 10431)</p> <p>The CCS appears to be implemented during the works.</p>	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	<p>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.</p> <p>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.</p>	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>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>MPW S2 & S3 Environmental Representative Site Inspection Report 16/12/21, Pitt & Sherry</p> <p>MPW S2 & S3 Environmental Representative Site Inspection Report 20/01/22, Pitt & Sherry</p> <p>MPW S2 & S3 Environmental Representative Site Inspection Report 03/02/22, Pitt & Sherry</p> <p>MPW S2 & S3 Environmental Representative Site Inspection Report 17/03/22, Pitt & Sherry</p> <p>Moorebank Precinct West Stage 2 SSD 7709 – ER Report for 1 January 2022 to 31 January 2022, Pitt & Sherry</p> <p>Moorebank Precinct West Stage 2 SSD 7709 – ER Report for 1 December 2021 to 31 December 2021, Pitt & Sherry</p> <p>DPE post approval portal record 14/02/22 (lodgement of January 2022 ER Monthly Report)</p> <p>DPE post approval portal record 18/02/22 (DPE acknowledgement of January 2022 ER Monthly Report)</p> <p>DPE post approval portal record 21/02/22 (DPE acknowledgement of December 2021 ER Monthly Report)</p> <p>Email, DPE to ER, 08/02/22 (approval of delay submission of February 2022 ER Monthly Report).</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>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A38	The Applicant must provide all documentation requested by the ER in order for the ER to perform their functions specified in Condition A37 (including preparation of the ER monthly report), as well as: a) the complaints register (to be provided on a monthly basis); and b) a copy of any assessment carried out by the Applicant of whether proposed work is consistent with the consent (which must be provided to the ER before the commencement of the subject work).	MPW S2 & S3 Environmental Representative Site Inspection Report 16/12/21, Pitt & Sherry MPW S2 & S3 Environmental Representative Site Inspection Report 20/01/22, Pitt & Sherry MPW S2 & S3 Environmental Representative Site Inspection Report 03/02/22, Pitt & Sherry Moorebank Precinct West Stage 2 SSD 7709 – ER Report for 1 January 2022 to 31 January 2022, Pitt & Sherry Moorebank Precinct West Stage 2 SSD 7709 – ER Report for 1 December 2021 to 31 December 2021, Pitt & Sherry Interview with auditees 21/02/22 Emails sighted between TSA, the ER and DPE providing monthly complaint updates Email ER to SIMTA, 23/03/22 (Eagles Beak Accordance Assessment ER acceptance).	Evidence demonstrates that the complaints register is being provided to the ER monthly. Assessments have been provided to the ER prior to the works being undertaken.	C
A39	The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under Condition C20 . The Applicant must: a) facilitate and assist the Planning Secretary in any such audit; and b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.	Interview with auditees 24/03/22	No audits have been commissioned by the Department.	NT
Minor Facilities				
A40	Minor ancillary facilities , including lunch sheds, office sheds, portable toilet facilities, and the like, can be established where they satisfy the following criteria: a) are located within the construction boundary; and b) have been assessed by the ER to have: i. minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the <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.	ER approval of MAF, 19/03/20 (ResourceCo) ER approval of RFMA 008, Ancillary Facility Warehouse 3 (INTS MAF). Construction Environmental Management Plan Moorebank Precinct West Stage 2, SIMTA, 14/01/20 (and update 10/08/21)	2 x MAFs present on site (ResourceCo and INTS), approved by the ER on 19/03/20. Other main and ancillary compounds are identified in the approved CEMP.	C
Submitting, Staging, Combining and Updating Strategies, Plans or Programs				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A41	Unless stated otherwise, the Applicant must submit strategies, plans and programs required under this consent to the Planning Secretary at least one month prior to commencement of construction or operation.	Interview with auditees 24/03/22 B19 of SSD 10431 Letter DPE to Qube, 07/09/21 (approval of MPW2 / MPW3 CEMP, CCS, CERP (including FERSP)) Letter DPE to Qube 24/09/21 (approval of MPW2 / MPW3 CTAMP) Letter DPE to Qube 12/11/21 (approval MPW2 / MPW3 CSWMP) Letter DPE to Qube, 25/10/21 (approval of the MPW2 / MPW3 CNVMP).	The strategies, plans and programs are not being staged. In accordance with B19 of SSD 10431, the CEMP, CTAMP, CNVMP, CSWMP and FERSP were prepared to capture the requirements of both MPW2 and MPW3. The plans set out how each condition and other relevant requirement has been addressed. The plans were progressively approved by the Department in the second half of 2021.	C
A42	Unless stated otherwise in this consent, the Applicant with the approval of the Planning Secretary may: 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). <i>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.</i>	As above. Letter DPE to SIMTA, 28/01/22 (Department notice of breach of B171).	Refer above with respect to management plans, strategies and programs not being staged. The submission of the B171 SAR and SAS was permitted to be staged under A42.	C
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.	As above. Evidence referred to elsewhere in this Table and Appendix B.	As above. The plans appear to be implemented.	C
Staging of Construction				
A44	Prior to the commencement of construction, a Staging Report must be submitted to the Planning Secretary for approval where it is proposed to construct and operate warehousing in sub-stages. The Staging Report must include: a) the revised Development Layout Drawings required under Condition B2; b) detailed drawings showing warehouses, estate infrastructure and landscaping to be delivered in each sub-stage, and how each sub-stage of estate infrastructure and landscaping connects to other sub-stages including the intermodal terminal facility; c) details of how the development will relate to concurrent construction on MPE as described in the construction program included in the approved Construction Environmental Management Plan for MPE Stage 2 (SSD 7628); d) general timing of construction sub-stages that impact upon the timing of the development subject of this consent; and e) details of the relevant conditions of the Concept Approval (5066) and of this consent that would apply to each sub-stage. <i>Note: The Staging Report will need to be amended with any approved version update of the MPE Stage 2 CEMP.</i>	Interview with auditees 24/03/22	The project is not being staged.	NT
A45	Prior to the commencement of operation of each warehousing sub-stage, evidence must be provided to the satisfaction of the Planning Secretary that all estate infrastructure, including internal estate roads, bushfire protection infrastructure, utilities, drainage and stormwater quality infrastructure, has been constructed to the extent required to service the sub-stage. <i>Note: These conditions do not relate to staged development within the meaning of section 83B of the EP&A Act</i>	Interview with auditees 24/03/22	The project is not being staged.	NT
Notification of Commencement				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A46	The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least 2 weeks before that date: a) any work; b) vegetation clearing required to conduct remediation; c) remediation; d) low impact works; e) construction; f) operation; g) cessation of operations; and h) decommissioning.	Letter SIMTA to DPIE, 10/02/20 Interview with auditees 24/03/22 Email chain Aspect and JW Prince, 26/03/21. Email DPE to SIMTA, 01/02/22 (notice regarding late submission of the first Independent Audit report (breach of C17b)), and the need to include the response to the findings and breach notices in the second Independent Audit)	Notification of commencement of works and construction was provided on 10/02/20. The notified dates of commencement were: <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. 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. Observation: The Department provided written directions to SIMTA on 28/01/22 and 01/02/22 which (among other things) indicated that the Department considered that construction commenced in January 2020 (not December 2020 as stated by the auditee during the first Independent Audit).	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 24/03/22	The project is not being staged.	NT
Utilities and Public Infrastructure				
A48	The Applicant must engage a suitably qualified person to prepare a Pre-construction Dilapidation Report prior to the commencement of construction. This report must detail the structural condition of: (a) local public roads likely to be used by the development's construction traffic; (b) local public roads, cycleways, footpaths and utility services likely to be impacted by construction works; and (c) off-site private land or access to off-site private land likely to be impacted by construction works. The report must be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS, any affected private landowner, and the Planning Secretary.	Property survey condition – Commercial (ABB), 27/08/20 Dilapidation Report, MPW S2 Anzac Road, Craigmar Consulting, 18/08/19 Dilapidation Report, MPW S2 Bapaume Road, Craigmar Consulting, 03/09/19 Dilapidation Report, MPW S2 Moorebank Ave, Craigmar Consulting, 18/08/19 Email SIMTA to CCC, 26/03/20 Email SIMTA to LCC, 26/03/20 DPIE post approval portal lodgement, 26/04/20 Email SIMTA to RMS, 26/03/20 Letter Certifier to SIMTA, 25/03/20	Dilapidation reports were prepared prior to commencement of construction and were submitted to the identified stakeholders.	C
A49	Before the commencement of construction, the Applicant must consult with the relevant owner and provider of utility services and public infrastructure that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection, support or relocation of the affected utility services and infrastructure.	Interview with auditees 24/03/22 Drinking Water Connection Approval, Sydney Water, 17/08/21 Endeavour Energy Stamped Plans, 18/11/21 Sydney Water Moorebank Avenue Plans, 25/08/21	The utilities / services which have been affected are electricity (Endeavour Energy) and water / sewer (Sydney Water). Evidence indicates that the service providers have been consulted with the relevant approvals obtained thus far.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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: 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.</p>	<p>Interview with auditees 24/03/22</p> <p>Site inspection 16/03/22</p> <p>Endeavour Energy Stamped Plans, 18/11/21</p> <p>Sydney Water Moorebank Avenue Plans, 25/08/21</p>	The utilities / services which have been affected are electricity (Endeavour Energy) and water / sewer (Sydney Water). Evidence indicates that the service providers have been consulted with the relevant approvals obtained thus far. Construction is ongoing.	NT
A51	Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the <i>Sydney Water Act 1994</i> .	Site inspection 16/03/22	The project is in construction	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. 	Site inspection 16/03/22	The project is in construction. Occupation Certificate/s have yet to be issued.	NT
A53	The Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.	Site inspection 16/03/22	The project is in construction	NT
Meteorology Monitoring				
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 24/03/22</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 (refer Independent Audit No. 1).</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, Costin 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>Drawing number MAAI-NRP-CV-DWG-0050, TfNSW registration DS2021/000784 (MAAI Overall Plan)</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> <p>The MAAI overall plan drawings are 100% design.</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 16/03/22	The project is in construction	NT
Development Contribution				
Council Contributions				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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.	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 Payee advice, NAB, 30/11/20 (Payment to Council) Payee advice, NAB, 10/12/20 (Payment to RMS)	Payment was made to Council and RMS prior to construction.	C
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).	Payee advice, NAB, 10/12/20 (Payment to RMS)	Payment was made to Council and RMS prior to construction.	C
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				
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.	Site inspections from audits completed on SSD 5066 (14/02/20 and 25/11/20). Interview with auditees 24/03/22 Letter DPIE to SIMTA, 29/05/20 Letter DPIE to SIMTA, 19/05/20 CARAS, material Import Daily totals.xls, current to 08/02/22	At previous inspections undertaken for the audits on SSD 5066 it was observed that stockpiling did not extend beyond that permitted under that consent. Approximately 375,500 tonnes of fill was imported prior to 29/05/20, which equates to ~179,000 m ³ . 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. Import has continued since the finalisation of the referenced plans.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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> <ul style="list-style-type: none"> a) provision of a riparian corridor, comprising the following: <ul 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; 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; c) no construction or operation works would take place inside biodiversity offset areas; d) compliance with the landscaped setbacks specified in Condition B63; 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; 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; 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 <u>where necessary to ensure ongoing maintenance works can be carried out without impacting on the riparian corridor or adjoining sites</u>; 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; 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; 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); k) the bushfire asset protection requirements are within the development area; and l) setbacks from the surveyed boundary of Lot 2 DP 32998, Lot 3 DP 32998, and Lot 2 DP 547293. 	<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
B3	<p>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.</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.</p>	C
Soil and Water				
Revised Stormwater System Design				
B4	<p>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.</p>	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin 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, which was prior to construction.</p>	C
B5	<p>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.</p>	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin 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, and includes WSUD principals. The project is in construction.</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B6	<p>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.</p> <p><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></p>	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	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 .	<p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C (Appendix G)</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	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	<p>The review must:</p> <ul style="list-style-type: none"> 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. <p><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></p>	<p>Letter DPIE to SIMTA, 10/02/20</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C (Appendix G)</p>	<p>The Department approved the technical experts on 10/02/20.</p> <p>The Independent Peer Review report includes a review of each of the requirements specified in a) – c).</p>	C
Water Sensitive Urban Design				
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, Costin Roe, Rev C</p> <p>Letter DPIE to SIMTA, 19/05/20</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.	C
B10	The Applicant must submit revised drawings and supporting documentation to the Planning Secretary for approval, in accordance with the design principles and design criteria listed in Conditions B11 to B22 .	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation was approved by the Department on 19/05/20.	C
Piped Stormwater Drainage and Overland Flow Paths				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B11	The stormwater system must be designed to: <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. 	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin 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 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.	C
On-site Detention				
B12	On-site detention (OSD) must attenuate peak flows from the development such that both the: <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. 	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin 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 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.	C
B13	OSD basins must: <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 Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin 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-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.	C
Stormwater Quality				
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, Costin 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: <ul style="list-style-type: none"> 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, Costin 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

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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: <ul style="list-style-type: none"> 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, Costin 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, Costin 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, Costin 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
B19	All filter media used in stormwater treatment measures must: <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. 	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin 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 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.	C
Stormwater Outlet Structures				
B20	Discharge of stormwater from the development must not cause scour/ erosion of the banks or bed, or pollution of the Georges River or Anzac Creek. <i>Note: Pollution of waters as defined under section 120 of the POEO Act.</i>	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin 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 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.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B21	Outlet structures for the discharge of site stormwater drainage to the Georges River, Anzac Creek, external drainage or natural drainage lines must be constructed of natural materials to minimise erosion, facilitate natural geomorphic processes and include vegetation as necessary (gabion baskets and gabion mattresses are not acceptable).	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin 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 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.	C
B22	Outlet structures must ensure habitat connectivity and wildlife movement is maintained along the Georges River riparian corridor.	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin 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 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.	C
Stormwater System Design Drawings				
B23	The Revised Stormwater System Design Drawings and supporting information to be submitted under Condition B4 must include the details specified in Conditions B24 to B28 .	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin 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). 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
B24	Drawings must show: a) all information on a drainage catchment plans and a schedule of stormwater drainage elements (pipe lines and structures). Drainage drawing documentation is to be in accordance with the requirements detailed in Liverpool Council's Development Design Specification "D5 – Stormwater drainage design" clauses D5.22 and D5.24; b) location and width of controlled overland flow paths; c) maximum design flow levels to AHD; d) maintenance access to each on OSD basin; and e) the integration with MPE Stage 1 and MPE Stage 2 stormwater infrastructure including: i. stormwater infrastructure on the MPW site that is intended to convey (pipes or overland flow paths) or treat or detain stormwater from MPE Stage 1 and MPE Stage 2, and/ or ii. drawings demonstrating that stormwater detention and treatment infrastructure has been provided for and approved under MPE Stage 1 and MPE Stage 2 for western draining MPE catchments.	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin 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

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B25	<p>All stormwater quality elements are to be detailed in the drawings including:</p> <ul 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. 	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin 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-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.</p>	C
B26	<p>Stormwater outlet drawings must show:</p> <ul 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. 	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin 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-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.</p>	C
Stormwater System Design Supporting Documentation				
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, Costin 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, Costin Roe, Rev 10 (and Rev 12)</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

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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, Costin 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, Costin Roe, Rev 10 (and Rev 12)</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, Costin Roe, Rev 10 (and Rev 12)</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, Costin Roe, Rev 10 (and Rev 12)</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.	<p>Primary ESCP, Rev 2, Georgiou</p> <p>CPESC Inspection Reports, Nov 21, Jan 22 and Feb 22.</p>	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 Inspection Reports, Nov 21, Jan 22 and Feb 22.</p> <p>DPE post approval portal lodgement records, 08/12/21, 24/01/22, 04/02/22, 25/02/22.</p>	The CPESC reports show that inspections are occurring monthly and recommendations on improvement are being made. These are being submitted monthly.	C
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 .	<p>Site inspection 16/03/22</p> <p>Interview with auditees 24/03/22</p>	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

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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 16/03/22 Interview with auditees 24/03/22	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 24/03/22 SSD7709_MPW2_IA2022_RFI[95] (client response to Request for Information) Letter Cumberland Ecology to SIMTA, 18/10/19 (Moorebank Precinct West Stage 2: Aquatic Ecology input on Sediment Basin and Stormwater Outlet Designs) Crown Lands Licence RN616970 DPE post approval portal lodgement 15/07/21 (submission of B35 information to DPE)	Stormwater outlet works (including clearing, scour protection/ erosion control) are being constructed outside the site on Crown land (being the banks and bed of the Georges River). Evidence provided shows that the aquatic ecologist provided input into the design and that Crown Lands issued a licence to construct the works on its land. This information was provided to the Department in July 2021.	C
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: 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 16/03/22	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 16/03/22	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 16/03/22	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				

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>Moorebank Precinct West Import Fill Protocol, CARAS, 14/07/21</p> <p>CARAS, material Import Daily totals.xls, current to 08/02/22</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>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>Recovered Aggregate Test Report, Resource Laboratories, 31/01/22, 04/02/22</p> <p>Recovered Aggregate test Report, Envirolab, 29/09/21</p> <p>VENM Classification Report for 47 Spurway Drive, Baulkham Hills, EI Australia, 09/12/21</p> <p>VENM Waste Classification Certificate for 52 Scott Street Liverpool, EI Australia, 06/05/21</p> <p>VENM Waste Classification Certificate for 227-241 Hezlett Rd Kellyville, EI Australia, 23/11/21</p> <p>Metro Demolition Recovered Aggregate Assessment, SESL, 18/06/20</p> <p>Recovered aggregate test report, Boral, 01/11/21</p> <p>Product Compliance Statement, Benedicts Sandy Point Quarry (no date)</p> <p>Letter, Hodgson Quarries to Parklea Sand and Soil (no date)</p> <p>Letter EPA to Cement and Concrete Aggregates Australia, 06/03/20 (EPA statement that VENM Cert not required for quarried material)</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>Exported material has been accurately recorded.</p> <p>The records are available for the Department and EPA if required.</p>	C
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Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<p>Contaminated Material Tracking Form (offsite disposal)</p> <p>Waste Classification Report, UF282, JBS&G</p> <p>BINGO letter of acceptance 18/08/20 (letter of acceptance for UF282 at EPL 13426).</p> <p>Georgiou Waste Register current to Jan 22.</p>		
B41	<p>Land disturbance and land filling activities must be undertaken:</p> <p>a) in a phased manner, impacting a maximum contiguous area of 65 hectares at any one time; and</p> <p>b) with no disturbance (including vegetation clearing) of another area (other than the construction of erosion and sediment control measures and associated drainage for the separation of clean and dirty water) until:</p> <p>i. a C-factor of 0.05 has been achieved on the previous phase, and</p> <p>ii. at least 75% of the permanent stabilisation works have been implemented for the previous phase, and</p> <p>iii. at least 95% all of the permanent stabilisation works on any other previously disturbed area have been implemented.</p> <p>Note: For the purposes of this condition, permanent stabilisation works include established grass cover and for the southern fill area where future warehousing is proposed, must be in accordance with Condition B65.</p>	<p>Primary ESCP, Rev 2, Georgiou</p> <p>CPESC Inspection Reports, Nov 21, Jan 22 and Feb 22.</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
B42	Stockpiling of imported fill is not permitted for longer than 6 months before placement.	<p>Site inspection 16/03/22</p> <p>CARAS, material Import Daily totals.xls, current to 08/02/22</p> <p>121-2092 Stockpile register Rev 1, BMD</p> <p>BMD Trimble stratus, BMD</p> <p>MTP 220311 Stockpile Tracking Register.</p> <p>Contaminated Material Tracking Form (Loop Road Fill, and for offsite disposal)</p>	<p>Based on the inspections conducted under SSD 10431 audit 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.</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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 <u>or a steeper slope where certified by a suitably qualified geotechnical specialist</u>; and d) be stabilised if not worked on for more than 10 days. 	<p>Primary ESCP, Rev 2, Georgiou CPESC Inspection Reports, Nov 21, Jan 22 and Feb 22 2021-2022 Stockpile register Rev 1, BMD</p> <p>BMD Trimble stratus, BMD</p> <p>MTP 220311 Stockpile Tracking Register.</p> <p>Contaminated Material Tracking Form (Loop Road Fill, and for offsite disposal)</p> <p>MPW S2 & S3 Environmental Representative Site Inspection Report 16/12/21, Pitt & Sherry</p> <p>MPW S2 & S3 Environmental Representative Site Inspection Report 20/01/22, Pitt & Sherry</p> <p>MPW S2 & S3 Environmental Representative Site Inspection Report 03/02/22, Pitt & Sherry</p> <p>MPW S2 & S3 Environmental Representative Site Inspection Report 17/03/22, Pitt & Sherry</p> <p>Moorebank Precinct West Stage 2 SSD 7709 – ER Report for 1 January 2022 to 31 January 2022, Pitt & Sherry</p> <p>Moorebank Precinct West Stage 2 SSD 7709 – ER Report for 1 December 2021 to 31 December 2021, Pitt & Sherry</p> <p>Site inspection 16/03/22</p>	<p>Stockpiles under SSD 7709 appear to be stabilised, benched and adequately battered. Stockpile management is incorporated into the contractor forms and processes and subject to ER and CPESC inspections.</p>	C
B44	Placed fill must be stabilised if construction does not commence within 10 days.	<p>Primary ESCP, Rev 2, Georgiou CPESC Inspection Reports, Nov 21, Jan 22 and Feb 22.</p>	<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. Stabilisation is also subject to ER and CPESC inspections.</p>	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) https://simta.com.au/mpw/ Letter DPIE to SIMTA, 29/05/20</p>	<p>The batters around stormwater infrastructure are designed to meet the specifications in CoC B2 which (by extension) meet these requirements. The works are still under construction and yet to be trimmed.</p>	C
Air Quality				
Dust Minimisation				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B46	The Applicant must ensure dust emissions generated by the development do not cause exceedances of the following criteria at private property not associated with the development: <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. 	Dust deposition results, ALS, 13/12/21 (Nov 21 results), 04/01/22 (Dec 21 results), and 01/02/22 (Jan 22 results).	Observation: The sighted dust deposition results are satisfactory with the exception of DDG-W-04-21 (5.4g/m2/month) for November 2021. Monitoring is conducted on the boundary of the MPW site. Whether this has resulted in an exceedance at the nearest private property cannot be verified.	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).	Site inspection 16/03/22 Complaints register current to 31/03/22 Complaints register submission to DPE (various records)	A small amount of sulfide odour was observed, SIMTA investigated and it was determined that Sydney Water's Glenfield STP backing up after the February / March 22 storms. No justified complaints in relation to these matters were recorded during the audit period.	C
Urban Heat Island Mitigation (UHIM)				
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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	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 24/03/22	Design and construction is ongoing.	NT
Urban Design and Landscaping				
Urban Design Development Report, Revised Landscape Design Drawings and Revised Architectural Drawings				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B52	<p>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.</p> <p><i>Note: For the purposes of this condition, earthworks including placement of fill are not considered permanent built surface works.</i></p>	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p> <p>Site inspection 16/03/22</p>	<p>The UDDR was prepared to address the requirements of CoC B48, B49, B53, B54, B55, B56, B59 – B74. It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21. Construction of permanent built surface works or landscaping has yet to commence.</p>	C
B53	<p>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.</p>	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	<p>The UDDR was prepared to address the requirements of this condition (Appendix 4.6). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.</p>	C
B54	<p>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:</p> <ol style="list-style-type: none"> how the objectives and principles developed in the Urban Design Development Report required under Condition B53 have been incorporated into the design; the revised warehouse layout in accordance with Condition B2; and compliance with the criteria specified in Conditions B59 to B74. 	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	<p>The UDDR was prepared to address the requirements of this condition (Appendix 4.2 - 4.3 – Architectural/Landscape Drawing). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.</p>	C
Urban Design and Landscape Independent Peer Review				
B55	<p>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.</p>	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 6, March 2021 and Appendix Rev 17, Reid Campbell.</p> <p>Urban Design and Landscape - Independent Peer Review Report, Matthew Pullinger Architect, 13/12/19</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	<p>The UDDR included an independent review to address the requirements of this condition (UDDR Appendix 4.5). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.</p>	C
B56	<p>The review must:</p> <ol style="list-style-type: none"> be undertaken by an expert(s) in urban design and landscaping (for example, a member of the State Design Review Panel); 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 include comments justifying conclusions reached in the assessment. <p><i>Note: The revised landscape drawings, architectural drawings and supporting documentation will not be accepted until they meet the objectives and design principles and all relevant conditions to the satisfaction of, with justification provided by, the peer reviewer.</i></p>	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Urban Design and Landscape - Independent Peer Review Report, Matthew Pullinger Architect, 13/12/19</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	<p>The UDDR included an independent review to address the requirements of this condition (UDDR Appendix 4.5). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.</p>	C
Landscape Design				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B57	<p>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:</p> <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. 	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	<p>The UDDR was prepared to address the requirements of this condition (Appendix 4.3 – Landscape Drawings). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.</p>	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	<p>Pedestrian and cycle paths must:</p> <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. 	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	<p>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 originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.</p>	C
B60	Paths must be integrated with landscaping and include meanders to allow for canopy tree clusters and a more varied walking/ riding experience.	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	<p>The UDDR was prepared to address the requirements of this condition (drawing set PIWW-GNK-LN-DWG-101-102). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.</p>	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.	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	<p>The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0100 and 0110-0113, PIWW-GNK-LN-DWG-106). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.</p>	C
B62	<p>Secure bicycle parking and end-of-trip facilities must provide:</p> <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. 	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	<p>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 originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.</p>	C
Landscaping				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B63	The following minimum setbacks apply: a) 18 m from Moorebank Avenue with minimum soft landscaped width of 10 m, subject to any variation agreed to by the Planning Secretary at the site entrance for the purpose of facilitating the primary access driveway into the site; and b) 5 m setback from the western internal road to warehouse carparks. Note: See also Condition B2.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	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 originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	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 originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Appendix 4.3– Landscape Drawings). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	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. Construction is ongoing.	C
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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Appendix 4.3– Landscape Drawings). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	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 m ² 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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	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 originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	C
Noise Walls, Retaining Walls and Fencing				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Section 3.7) and will continue through detailed design. It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR) 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 (and update 17/03/21) 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 originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21. 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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0110-13). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	C
B72	Screen planting must be provided on both sides of noise walls.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-GNK-LN-DWG-101, 102, 104, 106-108). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Section 3.7) and will continue through detailed design. It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	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 originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	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 originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Section 3.8). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0190). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0190). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	C
Building Floor Levels				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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, Costin 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. The building floor levels are aligned to the levels in the SDDR.	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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0110-0113). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	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 Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Section 3.9, drawing set PIWW-GNK-LN-DWG-400). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	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 16/03/22	The project is in construction	NT
Pest and Weed Control				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status											
B83	<p>The Applicant must:</p> <p>a) implement measures to manage pests, vermin and declared noxious weeds on the site; and</p> <p>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.</p> <p>Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Biosecurity Act 2015.</p>	<p>Weekly environmental inspection register current to 11/03/22</p> <p>Beakon weekly inspection (inc pre rainfall) 21/02/22, 23/12/21</p> <p>Beakon weekly inspection register (online)</p> <p>Moorebank Precinct West Stage 2 SSD 7709 – ER Report for 1 January 2022 to 31 January 2022, Pitt & Sherry</p> <p>Moorebank Precinct West Stage 2 SSD 7709 – ER Report for 1 December 2021 to 31 December 2021, Pitt & Sherry</p> <p>MPW S2 & S3 Environmental Representative Site Inspection Report 03/03/22, Pitt & Sherry</p> <p>MPW S2 & S3 Environmental Representative Site Inspection Report 17/03/22, Pitt & Sherry</p>	<p>Weeds and pests form part of the inspection regimes on site and are reported by exception.</p> <p>Observation: In March 2022 the ER identified the presence of weeds on stockpiles which require treatment. The weeds have yet to be treated due to the lack of dry weather.</p>	C											
Traffic and Access															
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><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><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></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	<p>Interview with auditees 24/03/22</p> <p>Drawing number MAAI-NRP-CV-DWG-0050, TfNSW registration DS2021/000784 (MAAI Overall Plan)</p>	<p>Non-compliance (carried over from the first Independent Audit): The design has been submitted to TfNSW. The design has not been approved within 12 months of the date of consent.</p>	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												

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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.	Construction Traffic and Access Management Plan Moorebank Precinct West Stage 2 and Moorebank Precinct West Stage 3, SIMTA, 14/09/21 (the CTAMP) Turnpath Assessment for Concept Design of MPW Roads and Associated Warehouse Hardstand Areas, Moorebank Logistics Park, Transport and Urban Planning Pty Ltd, September 2019, Ref 19104r Transport Assessment Janus Regional and National Distribution Facilities, Ason Group, 27/04/20	Non-compliance: Permanent built surface works at warehouse 6 have commenced. A swept path analysis has been prepared and was submitted to the Department as part of the MOD-1 and MOD-2 applications (both of which were approved by the Department. However, RMS (TfNSW) provided advice on the MOD-2 application but has not provided approval as is required by this condition.	NC
B86	The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements in relation to landscaping and/ or fencing, aisle widths, aisle lengths, and parking bay dimensions) must be in accordance with AS2890.1-2004 Parking facilities Off-street car parking, AS2890.6-2009 Parking facilities Off-street parking for people with disabilities and AS2890.2-2002 Parking facilities Off-street commercial vehicle facilities for heavy vehicle usage.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Section 3.1). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	C
B87	<u>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 TfNSW and / or Liverpool City Council.</u> <u>The location of other existing and future utility and service infrastructure must be located outside the roadway being upgraded unless provision within the roadway is agreed by TfNSW and / or Liverpool City Council with relevant Roads Act 1993 approval.</u>	Interview with auditees 24/03/22 Revised Development Layout Drawings (PIWW-RCG-AR-DWG) https://simta.com.au/mpw/ Letter DPIE to SIMTA, 29/05/20 Drawing number MAAI-NRP-CV-DWG-0050, TfNSW registration DS2021/000784 (MAAI Overall Plan)	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 any structures for fauna movement between the Georges River riparian corridor and the Boot Land, either under or below the road that have been identified by the Management Plan as required under Condition B152 Note: See also Condition B2(i) and B152(d)	Interview with auditees 24/03/22 Moorebank Precinct West Stage 2 Koala Management Plan (KMP), Cumberland Ecology, 12/03/20 Letter DPIE to SIMTA, 04/05/20	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

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B89	Heavy vehicles used for haulage of imported fill or freight must not use Cambridge Avenue during construction and operation of the development.	<p>Interview with auditees 24/03/22</p> <p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 (and update 14/09/21)</p> <p>Driver's code of conduct (within the CTAMP)</p> <p>Complaints register current to 31/03/22</p> <p>Complaints register submission to DPE (various records)</p> <p>MAUW and MAAI VMP Rev 7</p> <p>1232 JNDC – Driver Code of Conduct. Docx</p> <p>Georgiou Project induction, current to 16/03/22</p>	<p>All movements for the purposes of fill are to and from M5. There is no need for movements from the south for import of fill. Freight movements have yet to commence.</p> <p>No complaints received regarding this requirement.</p>	C
B90	Access to the ABB site must be maintained throughout construction and operation of the development.	<p>Site inspection 16/03/22</p> <p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 (and update 14/09/21)</p> <p>Complaints register current to 31/03/22</p> <p>Complaints register submission to DPE (various records)</p> <p>MAUW and MAAI VMP Rev 7</p>	<p>Bapaume Ave was observed to be open during the audit.</p> <p>No complaints received regarding this requirement.</p>	C
B91	<p>The Applicant must:</p> <ul style="list-style-type: none"> 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. 	<p>Consultation record ABB and SIMTA, 27/11/20 – 30/03/22</p> <p>Complaints register current to 31/03/22</p> <p>Complaints register submission to DPE (various records)</p> <p>Dilapidation Report, MPW S2 Bapaume Road, Craigmar Consulting, 03/09/19</p> <p>Site inspection 16/03/22</p> <p>MAUW and MAAI VMP Rev 7</p> <p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C</p>	<p>The consultation records indicate ongoing consultation and updates on construction works.</p> <p>Note that works in lot 100 are under SSD 5066.</p> <p>Observation: Whilst the design is such that overland flow during operations would not impact ABB, there were three complaints from ABB recorded during the audit period relating to water leaving the SIMTA site and entering ABBs property. Two of the complaints relate to overland flow during significant storm events, one complaint relates to a release from a hose. SIMTA have responded to each. No complaints have been received from ABB since 06/05/21.</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B92	<p>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.</p> <p><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></p>	Site inspection 16/03/22	Public access on Moorebank Avenue remains consistent with that prior to the project.	C
B93	<p>The development is to be designed and operated so that:</p> <ul style="list-style-type: none"> 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. 	<p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 (and update 14/09/21)</p> <p>Site inspection 16/03/22</p> <p>Complaints register current to 31/03/22</p> <p>Complaints register submission to DPE (various records)</p> <p>Turnpath Assessment for Concept Design of MPW Roads and Associated Warehouse Hardstand Areas, Moorebank Logistics Park, Transport and Urban Planning Pty Ltd, September 2019, Ref 19104r</p>	Construction is ongoing. The construction site is such that all these activities are contained to the site. No complaints received regarding this requirement.	NT
RMS supplementary requirements				
B94	<p>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.</p> <p>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.</p> <p>RMS fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.</p>	<p>Site inspection 16/03/22</p> <p>Interview with auditees 24/03/22</p> <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> <p>Drawing number MAAI-NRP-CV-DWG-0050, TfNSW registration DS2021/000784 (MAAI Overall Plan)</p>	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 .	<p>Site inspection 16/03/22</p> <p>Interview with auditees 24/03/22</p>	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 .	<p>Site inspection 16/03/22</p> <p>Interview with auditees 24/03/22</p>	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 24/03/22	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 24/03/22	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 24/03/22	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 24/03/22	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 24/03/22	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 24/03/22	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 24/03/22	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 24/03/22	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 24/03/22	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. <i>Note: Contact is to be made to Matthew Messina, Commercial Manager Motorway Partnerships and Planning on 02 8588 4119</i>	Interview with auditees 24/03/22	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 24/03/22	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 24/03/22	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 24/03/22	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 24/03/22	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	<p>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.</p> <p>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.</p>	Site inspection 16/03/22	The Chatham Rd access was sighted.	C
Road Safety Audit				
B111	<p>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.</p> <p>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.</p>	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.	<p>Site inspection 16/03/22</p> <p>Road Safety Audit, Arrb6c, 19/07/20</p> <p>Email chain, SIMTA and DPIE 15/10/20</p>	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 as there were no actions relevant to TfNSW.	C
B112A	<p>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.</p> <p>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.</p> <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 16/03/22	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 16/03/22	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 16/03/22	Occupation has not commenced. The project is in construction. Refer also response to CoC B84.	NT
Construction Traffic and Access Management Plan				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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 (and update 14/09/21) 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
B114	The CTAMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1 , the CEMP must: a) detail the measures that are to be implemented to ensure road safety and network efficiency during construction; b) include a Heavy Vehicle Route Plan detailing: i. origin of imported fill, ii. destination of demolition material and spoil, 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 (and update 14/09/21) Letter DPIE to SIMTA, 23/04/20	The CTAMP was prepared in accordance with CoC C1 and this condition: 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 16/03/22 Interview with auditees 19/03/21 Complaints register current to 31/03/22 Complaints register submission to DPE (various records)	There have been no road closures (full or part) of Moorebank Ave under SSD 7709. No issues observed. No complaints received during the audit period regarding this requirement.	C
B116	All construction vehicles must be contained wholly within the site and vehicles must enter the site before stopping.	Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 (and update 14/09/21) Site inspection 16/03/22 Complaints register current to 31/03/22 Complaints register submission to DPE (various records)	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 during the audit period regarding this requirement.	C
B117	All vehicles must enter and leave the site in a forward direction.	Site inspection 16/03/22	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 16/03/22	The project is in construction	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B119	<p>The OTAMP must form part of the OEMP and, in addition to the general management plan requirements listed in Conditions C5 and C6, the OTAMP must:</p> <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 16/03/22	The project is in construction	NT
Biannual Trip Origin and Destination Report				
B120	<p>Each six months following commencement of operation, the Applicant must prepare a Biannual Trip Origin and Destination Report (in a format agreed with TfNSW and RMS) that advises:</p> <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 16/03/22	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 16/03/22	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 16/03/22	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 16/03/22	The project is in construction	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B120D	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.	Site inspection 16/03/22	The project is in construction	NT
Workplace Travel				
B121	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: <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 16/03/22	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 16/03/22	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 16/03/22	The project is in construction	NT
Driver Code of Conduct				
B124	The Applicant must prepare and submit a Driver Code of Conduct to the Secretary which includes the following measures to minimise impacts: <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. 	Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 (and update 14/09/21) Letter DPIE to SIMTA, 23/04/20 CTAMP Appendix C	The Drivers Code of Conduct is within Appendix C of the CTAMP.	C
Noise and Vibration				
Construction Hours of Work				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status						
B125	<p>The Applicant must comply with the hours detailed in Table 2.</p> <p>Table 2: Hours of Work</p> <table><tr><th>Activity</th><th>Day</th><th>Time</th></tr><tr><td>Construction</td><td>Monday – Friday Saturday</td><td>7 am to 6 pm 8 am to 1 pm</td></tr></table>	Activity	Day	Time	Construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm	<p>Construction Environmental Management Plan (CEMP) Moorebank Precinct West Stage 2, SIMTA, 14/01/20 and 10/08/21</p> <p>Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 29/01/20 and 12/08/21</p> <p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 (and update 14/09/21)</p> <p>Georgiou Project induction, current to 16/03/22</p> <p>OOHW Register, BMD.</p> <p>OOHW assessments, Slab Finishing Works 07F02, Renzo Tonin</p> <p>OOHW assessment Week end work 12F01, Renzo Tonin</p> <p>OOHW assessment 12F01 Weekend Steel Fixing Work, Renzo Tonin</p> <p>MLP environmental tracking register MASTER (current to 15/03/22)</p> <p>OOHW WTP noise monitoring results 20/01/22</p>	<p>Project hours are within the project documentation and communicated to the workforce.</p> <p>OOHW are identified, appear justifiable, tracked and appear to be compliant with B127.</p>	C
Activity	Day	Time								
Construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm								
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> <p>a) between the hours of 8:00 am to 5:00 pm Monday to Friday;</p> <p>b) between the hours of 8:00 am to 1:00 pm Saturday; and</p> <p>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> <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 16/03/22</p> <p>Continuous noise monitoring data NMT04 1022020 – 1032021</p>	<p>There is no need for highly noise intensive works for SSD 7709.</p>	NT						

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status												
B127	<p>Construction outside of the hours identified in Condition B125 may be undertaken in any of the following circumstances:</p> <p>a) works that are inaudible at the nearest sensitive receivers;</p> <p>b) where a negotiated agreement has been arranged with affected receivers;</p> <p>c) works agreed to in writing by the Planning Secretary;</p> <p>d) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons;</p> <p>e) works associated with:</p> <p>(i) the Moorebank Avenue/Anzac Road upgrade, the delivery of the rail link connection, and works required to be undertaken during rail corridor possession where they are undertaken in accordance with an Out-Of-Hours Work Protocol under Condition B135; or</p> <p>[Amended by SSD-7709-Mod-2]</p> <p>(ii) any other construction works on the site where they are undertaken Out-of-Hours must be in accordance with the approved Out-of-Hours Work Protocol (OOWP) required under condition B135.</p>	<p>Construction Environmental Management Plan (CEMP) Moorebank Precinct West Stage 2, SIMTA, 14/01/20 and 10/08/21</p> <p>Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 29/01/20 and 12/08/21</p> <p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 (and update 14/09/21)</p> <p>Georgiou Project induction, current to 16/03/22</p> <p>OOWP Register, BMD.</p> <p>OOWP assessments, Slab Finishing Works 07F02, Renzo Tonin</p> <p>OOWP assessment Week end work 12F01, Renzo Tonin</p> <p>OOWP assessment 12F01 Weekend Steel Fixing Work, Renzo Tonin</p> <p>MLP environmental tracking register MASTER (current to 15/03/22)</p> <p>OOWP WTP noise monitoring results 20/01/22</p>	<p>Project hours are within the project documentation and communicated to the workforce.</p> <p>OOWP are identified, appear justifiable, tracked and appear to be compliant with B127.</p>	C												
B128	Blasting is not permitted on the site.	Site inspection 16/03/22	There is no need for blasting on the project.	C												
Noise Wall																
B129	Prior to the commencement of operation of any part of the development, the Applicant must construct a 5 m high noise wall along the entire length of the western internal road as shown in Appendix 1 (as detailed in the EIS and Rts Noise and Vibration Impact Assessment modelling).	Site inspection 16/03/22	The project is in construction	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><tr><th>Activity</th><th>Day</th><th>Time</th></tr><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></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	Site inspection 16/03/22	The project is in construction	NT
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														
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"> <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><i>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.</i></p> <p><i>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).</i></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 16/03/22	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 16/03/22	The project is in construction	NT																									
B133	For all terminal and rail operations, a monitoring and performance management regime is to be established in accordance with the conditions of this consent, including but not limited to the requirements of conditions B140-B143, with the objective of ensuring there is no deterioration in noise performance and continual improvement in rail noise outcomes from rail operations throughout the life of the development.	Site inspection 16/03/22	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 and 12/08/21 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: 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: 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 and 12/08/21 Letter DPIE to SIMTA, 07/02/20	The CNVMP was prepared to address CoC C1 and this condition: 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 16/03/22	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 16/03/22	The project is in construction	NT
Mechanical Plant and Other Noisy Equipment Monitoring				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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 16/03/22 Email, DPE to SIMTA, 06/08/21 (notice regarding self report breach of B138)	The construction of freight terminal, freight village has yet to commence. The Woolworths warehouse is well under construction. Non-compliance: The auditees self reported a breach of B138 (failure to submit a noise assessment report to the Department) in accordance with C11 on 29/07/21. The Department elected to not take further regulatory action in relation to the matter.	NC
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 16/03/22	The project is in construction. Mechanical plant is yet to be operational.	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 16/03/22	The project is in construction	NT
Rail Noise Monitoring and Reporting				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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 pass by 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 16/03/22	The project is in construction	NT
B142	<p>Prior to the commencement of operation, the Applicant must submit to the Planning Secretary for approval, justification supporting the appropriateness of the location for rail noise monitoring, including details of any alternative options considered and reasons for these being dismissed. The noise monitoring location(s) must be west of the MPW Stage 2 connection to the rail link constructed under MPE Stage 1.</p>	Site inspection 16/03/22	The project is in construction	NT
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 16/03/22	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 24/03/22</p> <p>Aboriginal Cultural Heritage Management Plan, 15/07/20, Artefact</p> <p>Letter DPIE to SIMTA, 20/10/20</p>	No unexpected finds have been identified by the auditees during the audit period.	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B149	Work in the immediate vicinity may only recommence if: <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. 	Interview with auditees 24/03/22 Aboriginal Cultural Heritage Management Plan, 15/07/20, Artefact Letter DPIE to SIMTA, 20/10/20	No unexpected finds have been identified by the auditees during the audit period.	NT
Non-indigenous Heritage				
B150	If any unexpected archaeological relics are uncovered: <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 24/03/22	No unexpected finds have been identified by the auditees during the audit period.	NT
B151	Work in the immediate vicinity of the find may only recommence on the advice of the project archaeologist.	Interview with auditees 24/03/22	No unexpected finds have been identified by the auditees during the audit period.	NT
Biodiversity				
B152	Prior to clearing of native vegetation, a Koala Management Plan (KMP) must be prepared by a suitably qualified person in consultation with OEH and be submitted to the Planning Secretary for approval. The KMP must: <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. 	Moorebank Precinct West Stage 2 Koala Management Plan (KMP), Cumberland Ecology, 12/03/20 Letter DPIE to SIMTA, 04/05/20 Works letter, Kingfisher, 02/12/20 CoC B154 Clearing Permit, Georgiou, no date Post Clearing Report, Naria, February 2021 Ecological Consultants Australia report, 23/02/21 Nearmap review (2020 – 2021)	A KMP was prepared by qualified ecologists to satisfy this condition: <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 The KMP was approved by the Department on 04/05/20. The clearing reports and nearmap aerial photos indicate that clearing occurred after the date of approval of the KMP.	C
Construction Flora and Fauna Management				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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>MPW Sitewide Aerial Overlay, Integral Surveys, 23/04/21</p> <p>Email Aspect to Aspect, 12/03/22</p> <p>Site inspection 16/03/22</p> <p>MPW S2 & S3 Environmental Representative Site Inspection Report 16/12/21, Pitt & Sherry</p> <p>MPW S2 & S3 Environmental Representative Site Inspection Report 20/01/22, Pitt & Sherry</p> <p>MPW S2 & S3 Environmental Representative Site Inspection Report 03/02/22, Pitt & Sherry</p> <p>MPW S2 & S3 Environmental Representative Site Inspection Report 17/03/22, Pitt & Sherry</p> <p>Moorebank Precinct West Stage 2 SSD 7709 – ER Report for 1 January 2022 to 31 January 2022, Pitt & Sherry</p> <p>Moorebank Precinct West Stage 2 SSD 7709 – ER Report for 1 December 2021 to 31 December 2021, Pitt & Sherry</p>	<p>Exclusion fencing was sighted during the inspection. The ER did not raise issues regarding clearing beyond boundaries.</p> <p>The total vegetation cleared has been estimated using survey and GIS. The area cleared for across MPW (capturing MPW1, MPW2 and MPE2 clearing) is estimated to be 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 (and update 17/03/21)</p> <p>Letter DPIE to SIMTA, 23/3/20</p> <p>Works letter, Kingfisher, 02/12/20</p> <p>CoC B154 Clearing Permit, Georgiou, no date</p> <p>Post Clearing Report, Naria, 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
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><i>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.</i></p>	<p>Construction Flora and Fauna Management Plan (CFFMP) Moorebank Precinct West Stage 2, SIMTA, 10/03/20 (and update 17/03/21)</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

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B156	Prior to removing/ clearing any vegetation or any demolition, pre-clearing surveys and inspections for threatened species, populations and ecological communities must be undertaken. The surveys and inspections, and any subsequent relocation of species and associated management measures, must be undertaken under the guidance of a suitably qualified and experienced ecologist.	<p>Pre-clearing Survey Report, Narla, Final v1.0, 02/09/21 (BMD northern work area and Lot 100)</p> <p>Capture and Release of Aquatic Fauna in Dewatered Wetlands, Turtle Rescues, Feb 2021.</p> <p>Letter Kingfisher to Georgiou, 24/05/21 (Moorebank Intermodal Precinct West Pre-clearance inspection in South eastern area (KF/ECA May 20)</p> <p>Pre-Clearing Survey Report Moorebank Precinct West Earthworks and Interstate Terminal Works, Narla, October 2020</p> <p>SSD7709_MPW2_IA2022_RFI[95] (client response to Request for Information)</p> <p>Works letter, Kingfisher, 02/12/20</p> <p>CoC B154 Clearing Permit, Georgiou, no date</p> <p>Post Clearing Report, Narla, February 2021</p> <p>Ecological Consultants Australia Report, 23/02/21</p>	<p>According to the auditee:</p> <ul style="list-style-type: none"> 1 x habitat tree was felled 3/05/21. This was included in the MPW INTS Pre Clearing survey dated October 2020. Additional checks were undertaken prior to felling, and an ecologist supervised tree removal. The main clearing around the compound for MAAI was undertaken 20/09/21 to 24/09/21. This was covered by the Pre Clearing survey MPW MAAI, September 2021. <p>According to the records provided by the auditee, pre clearing surveys were completed prior to clearing. 1 x vulnerable fauna species was identified prior to clearing (Masked Owl). This flew off prior to clearing. No threatened fauna was identified during clearing. Threatened flora identified <i>Grevilea parviflora subsp. parviflora</i> and <i>Hibbertia puberulahas</i> has been offset. Refer B157.</p> <p>A (non-listed) turtle uncovered during dewatering was relocated by a specialist ecologist.</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status																																											
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><tr><th>Site</th><th>Plant community type</th><th>Area to be impacted</th><th>Credits required</th></tr><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></table> <p>Table 6: Species credit requirements</p> <table><tr><th>Species</th><th>Impacted individuals/ area to be impacted</th><th>Credits required</th></tr><tr><td>Nodding Geebung (<i>Perosoonia 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></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>Perosoonia 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> <p>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</p> <p>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>	<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																																											
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> <p>a) work must cease in the vicinity;</p> <p>b) a buffer zone must be established in consultation with the project ecologist;</p> <p>c) OEH must be notified;</p> <p>d) appropriate mitigation measures must be determined in consultation with OEH (including relevant re-location measures); and</p> <p>e) ecological monitoring and/ or biodiversity offset requirements must be updated, where required.</p>	<p>Interview with auditees 24/03/22</p>	<p>No new native flora and fauna (not already identified / considered in the EIS) has been identified by the auditees. Some exotic species were identified.</p>	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> <p>a) monitoring, management and maintenance procedures for koala habitat corridors; and</p> <p>b) management and maintenance of other measures and site operations to minimise the risk of harm to koalas and other native fauna.</p>	<p>Site inspection 16/03/22</p>	<p>The project is in construction</p>	NT																																											
Contamination and Remediation																																															
Site Auditor																																															
B161	<p>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.</p>	<p>Memorandum SIMTA to MIC, 26/05/16</p>	<p>James Davis was engaged in 2016.</p>	C																																											

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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.	Email, Tactical to EPA 09/11/20 Interview with auditees 19/03/21	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
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.	Auditee response to Independent Audit No. 1 RFI, 26/03/21 Site Audit Statement, SSD 7709, James Davis, 24/11/20 Long-Term Environmental Management Plan, EP Risk, 01/12/20 Email, SIMTA to EPA, 24/11/20	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> 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 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, 01/12/20, 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.	C
Contamination in Vegetated Areas				
B164	Prior to vegetation clearing: a) the Applicant must identify contamination within vegetated areas and prepare options for remediation in those areas, with the objectives to: i. retain vegetation to the greatest extent possible beyond the completion of remediation; ii. minimise land disturbance in accordance with Condition B41 ; and iii. not reduce the ability to provide connectivity and habitat corridors in accordance with Conditions B2 and B152 ; b) where remediation requires prior vegetation clearing, an appropriate assessment of the impact of clearing on contaminated land must be prepared by a suitably qualified and experienced consultant; and c) where contamination is identified as occurring within those areas where vegetation is proposed to be cleared, a Contamination Management Plan must be prepared in consultation with the Site Auditor detailing the location and nature of the contamination and the proposed remediation and/ or management measures that will be undertaken to address the on-site and potential off-site impacts.	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, Georgiou, no date Post Clearing Report, Naria, February 2021 Ecological Consultants Australia report, 23/02/21	A Contamination Management Plan was prepared to satisfy CoC C1 and this condition: 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. The CMP was approved by the Department in October 20. Vegetation clearing on SSD 7709 commenced in December 20.	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.	<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, Georgiou, 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"> 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. <p>The CMP was approved by the Department in October 20. Vegetation clearing on SSD 7709 commenced in December 20.</p>	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.	<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>Letter DPE to SIMTA, 24/03/21 (DPE acceptance that no RAP required).</p>	<p>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.</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, 01/12/20, 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. This was agreed to by the Department.</p>	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 (OEHL, 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>Letter DPE to SIMTA, 24/03/21 (DPE acceptance that no RAP required)</p> <p>Letter DPE to SIMTA, 28/01/22 (notice of breach of B169 and B171 (failure to submit SASs as per the timing in the relevant conditions), as well as reference to commencing construction without necessary approvals having been in place).</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, 01/12/20, 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. This was agreed to by the Department.</p> <p>Non-compliance: On 28/01/22 the Department issued a warning notice for breach of B169 due to the Site Audit Statement and Site Audit Report having been submitted after the commencement of construction on SSD 7709. Department elected to not take further regulatory action in relation to the matter.</p>	NC

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B170	To ensure that no residual contaminated land on site is impacted by this approval, the requirements of Site Audit Statement A required by Condition B169 cannot be staged.	Site Audit Statement, SSD 7709, James Davis, 24/11/20 Site Audit Statement, SSD 5066, James Davis, 18/09/20	The Site Audit Statements is not staged however it acknowledges ongoing management of contamination through the relevant LTEMPs and CMPs. Refer to finding for B171 regarding subsequent Site Audit Statement submission prior to permanent built surface works.	C
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 Audit Statement, SSD 7709, James Davis, 14/02/21 (for Woolworths pads, part of proposed lots 6, 7, 12) Letter SIMTA to DPE, 28/04/21 (application to stage B171) Letter DPE to SIMTA, 14/05/21 (approval to stage B171) Letter DPE to SIMTA, 28/01/22 (notice of breach of B169 and B171 (failure to submit SASs as per the timing in the relevant conditions), as well as reference to commencing construction without necessary approvals having been in place).	The submission of the B171 SAR and SAS was permitted to be staged under A42. Non-compliance: On 28/01/22 the Department issued a warning notice for breach of B171 due to a Site Audit Statement and Site Audit Report not having been submitted prior to the commencement of permanent built surface works on warehouse JN (warehouse 6). Department elected to not take further regulatory action in relation to the matter.	NC
Long Term Environmental Management Plan				
B172	Where remediation outcomes for the site require long term environmental management, a suitably qualified and experienced person must prepare a Long Term Environmental Management Plan (LTEMP), to the satisfaction of the Site Auditor. The plan must: a) be submitted to the Planning Secretary and EPA prior to commencement of construction (other than vegetation clearing); and b) include, but not be limited to: i. a description of the nature and location of any contamination remaining on site, ii. provisions to manage and monitor any remaining contamination, including details of any restrictions placed on the land to prevent development over the containment cell, iii. a description of the procedures for managing any leachate generated from the containment cell, including any requirements for testing, pumping, treatment and/ or disposal, iv. a description of the procedures for monitoring the integrity of the containment cell, v. a surface and groundwater monitoring program, vi. mechanisms to report results to relevant agencies, vii. triggers that would indicate if further remediation is required, and viii. details of any contingency measures that the Applicant is to carry out to address any ongoing contamination.	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 24/03/22	Section 1.4 of the LTEMP identifies the need for it to be registered to the title of the land. The LTEMP/s will be registered to the warehouse lots following subdivision (as required).	NT
Unexpected Ordnance				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status																																																			
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 and 10/08/21	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 16/03/22	The project is in construction. Dangerous goods on site are negligible.	C																																																			
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>Liquified 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="8">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>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	Liquified 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 16/03/22	The project is in construction with the warehouses yet to store dangerous goods.	NT
Location	Dangerous Goods Class	Packing Group	Description	Maximum Storage Quantity (Kg)																																																			
JR Warehouse	2.1	n/a	Liquified Petroleum Gas (LPG) in bulk tank	3,080																																																			
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Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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>	<p>DPE post approval portal lodgement, 06/07/21 (submission of original JN Fire Safety Study)</p> <p>DPE post approval portal lodgement, 06/07/21 (submission of original JN Final Hazard Analysis)</p> <p>Fire Safety Study (JN), Rev1, 22/09/21</p> <p>Final Hazard Analysis (JN), Rev 1, 22/09/21</p> <p>Letter DPE to SIMTA, 12/11/21 (acknowledgement of receipt of submission of the Rev 1 versions of the JN Fire Safety Study and Final Hazard Analysis)</p> <p>Fire Safety Study (JR), Rev 1, 23/09/21</p> <p>Final Hazard Analysis (JR), Rev 1, 19/11/21</p> <p>DPE post approval portal lodgement, 14/12/21 (submission of JR Final Hazard Analysis)</p> <p>DPE post approval portal lodgement, 14/12/21 (submission of JR Fire Safety Study)</p>	<p>The Fire Safety Study and Final Hazard Analysis for JN were submitted to the Department prior to commencement of permanent works on warehouse JN. However the studies included dangerous goods quantities over that permitted under B176A. Updated Fire Safety Study and Final Hazard Analysis were prepared in September 2021, submitted and were accepted by the Department in November 2021.</p> <p>JR Fire Safety Study and Final Hazard Analysis reports have been submitted to the Department, however the Department has comments on these documents. Warehouse JR has yet to commence.</p>	C
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>	<p>Site inspection 16/03/22</p>	<p>The commissioning of the relevant warehouses has yet to commence.</p>	NT
B176D	<p>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.</p>	<p>Site inspection 16/03/22</p>	<p>The operation of the relevant warehouses has yet to commence.</p>	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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 16/03/22	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 16/03/22	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 16/03/22	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.	121-2092 Stockpile register Rev 1, BMD L113 SP201 and SP202 Assessment, Rev0, JBS&G Interview with auditees 16/03/22 BMD Trimble stratus, BMD Contaminated Material Tracking Form (offsite disposal) Waste Classification Report, UF282, JBS&G BINGO letter of acceptance 18/08/20 (letter of acceptance for UF282 at EPL 13426). Georgiou Waste Register current to Jan 22.	Material has either been classified or is pre-classified under the Waste Classification Guidelines. Offsite disposal of material is limited. Records indicate that auditees understand that wastes are being directed to facilities lawfully permitted to receive it.	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.	121-2092 Stockpile register Rev 1, BMD L113 SP201 and SP202 Assessment, Rev0, JBS&G Interview with auditees 16/03/22 BMD Trimble stratus, BMD Contaminated Material Tracking Form (offsite disposal) Waste Classification Report, UF282, JBS&G BINGO letter of acceptance 18/08/20 (letter of acceptance for UF282 at EPL 13426). Georgiou Waste Register current to Jan 22.	Material has either been classified or is pre-classified under the Waste Classification Guidelines. Offsite disposal of material is limited. Records indicate that auditees understand that wastes are being directed to facilities lawfully permitted to receive it.	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 16/03/22	The project is in construction. Waste facilities are yet to be designed.	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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 16/03/22	The project is in construction.	NT
Construction and Operational Facilities				
Concrete Batching Plant				
B184	The concrete batching plants must comply with the following criteria: a) have a total production capacity less than 150 tonnes per day or 30,000 tonnes per year; b) only one concrete batching plant is to operate at any one time; and c) the first concrete batching plant must be disassembled immediately following commencement of operation of the second concrete batching plant.	Site inspection 16/03/22	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 16/03/22	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 and 12/08/21	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 16/03/22	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.	Photo CT2 Crane pre-start plant check Plant assessor extract Daily inspection 31/05/21, 27/09/21, 27/11/22, 14/02/22 plus register with 51 x records for 2022. Hammertech plant inspection register (online) Clarke McKay daily logbook ISS 40993Beakon daily observation controls / prestart 20/01/22 Beakon Detailed Hazard Inspection DHI-MP_1233, DHI-MP_1200, DHI-MP_1111	Evidence demonstrates that the plant and equipment on site are checked and maintained. Operators are properly trained and ticketed.	C
Bushfire Risk Management				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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, SIMTA, 17/03/21 Toolbox talk, 25/02/22 Georgiou Project induction, current to 16/03/22	The Bushfire Risk Management Plan identifies the location of the APZ (Figure 3-3). It is not within the riparian zone. Bushfire risk is communicated to the workforce. No issues identified by the auditees.	C
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, SIMTA, 17/03/21 Toolbox talk, 25/02/22 Georgiou Project induction, current to 16/03/22	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. Bushfire risk is communicated to the workforce. No issues identified by the auditees.	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, SIMTA, 17/03/21 DPIE post approval portal lodgement, 18/12/19. Toolbox talk, 25/02/22 Georgiou Project induction, current to 16/03/22	The Bushfire Risk Management Plan identifies the location of the APZ and IPAs and they do not impact the Offset Area. Bushfire risk is communicated to the workforce. No issues identified by the auditees.	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, SIMTA, 17/03/21 Toolbox talk, 25/02/22 Georgiou Project induction, current to 16/03/22	These designs are within Section 3 of the Bushfire Risk Management Plan. Bushfire risk is communicated to the workforce. No issues identified by the auditees.	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, SIMTA, 17/03/21 Toolbox talk, 25/02/22 Georgiou Project induction, current to 16/03/22	These designs are within Section 3 of the Bushfire Risk Management Plan. Bushfire risk is communicated to the workforce. No issues identified by the auditees.	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: a) assembly points and evacuation routes; b) evacuation and refuge protocols; and c) awareness training for employees and contractors.	Construction Emergency Response Plan, SIMTA, 29/06/21 Letter, ER to Tactical, 08/04/20 Emergency response drill notes, Georgiou, 07/09/21 and 07/03/22	The CERP was prepared and addresses the information from this condition. The ER confirms its adequacy. Drills have been conducted for MPW2 for a fire and for flooding, however the drill requirements are relevant to all types of events (including floods).	C
B195	The Bushfire Emergency and Evacuation Management Plan must: i. be prepared by a suitably qualified and experienced person(s), ii. be consistent with the Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan (RFS, 2014); and iii. a copy of the Operational Bushfire Emergency Evacuation Management Plan must be submitted to the Planning Secretary, NSW Rural Fire Service, Council and the Certifying Authority prior to occupation.	Bushfire Risk Management Plan, SIMTA, 17/03/21 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				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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 16/03/22	The project is in construction	NT
Part C – Environmental Management, Reporting and Auditing				
Environmental Management				
Management Plan Requirements				
C1	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <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 and 10/08/21</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, Costin Roe, Rev 10 (and Rev 12)</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 (and update 14/09/21)</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 and 12/08/21</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 and update 17/03/21</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				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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 and the updated CEMP in late 2021. See also C3 below.	C
C3	As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following: a) Soil and Water Management Plan (see Condition B29); b) Acid Sulfate Soils Management Plan (see Condition B39); c) Construction Traffic and Access Management Plan (see Condition B113); d) Construction Noise and Vibration Management Plan (see Condition B134); e) Out-of-hours Work Protocol (see Condition B135(g)); f) Construction Flora and Fauna Management Plan (see Condition B154); and g) Unexpected Finds Protocol(s) (see Condition B175).	Construction Environmental Management Plan (CEMP) Moorebank Precinct West Stage 2, SIMTA, 14/01/20 and 10/08/21 Letter DPIE to SIMTA, 23/01/20 Construction Soil and Water Management Plan (SWMP) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev 10 (and Rev 12) Letter DPIE to SIMTA, 01/04/20 Acid Sulfate Soil Management Plan (ASSMP) Moorebank Precinct West Site, 400 Moorebank Avenue, Moorebank NSW, EP Risk, 30/01/20 Letter DPIE to SIMTA, 21/02/20 Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 25/03/20 (and update 14/09/21) Letter DPIE to SIMTA, 23/04/20 Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 29/01/20 and 12/08/21 Letter DPIE to SIMTA, 07/02/20 Construction Flora and Fauna Management Plan (CFFMP) Moorebank Precinct West Stage 2, SIMTA, 10/03/20 and update 17/03/21 Letter DPIE to SIMTA, 23/3/20 Letters DPE to SIMTA, 21/05/21, 07/09/21, 24/09/21, 25/10/21, 12/11/21 and 18/03/22 (approval of updated CEMP, CSWMP, CFFMP, CTAMP, CNVMP, CERP and FERP). Letter DPE to SIMTA, 12/11/21 (approval of updated CSWMP).	Each of the documents listed were prepared in accordance with the conditions listed and approved by the Department prior to commencement of construction. Updates to the CEMP and sub-plans were made during 2021 to cater for MOD-2 and to capture MPW3. These were approved by the Department on 21/05/21, 07/09/21, 24/09/21, 25/10/21, 12/11/21 and 18/03/22.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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>Evidence referred to elsewhere in this Audit Table and Appendix B</p> <p>Email DPE to SIMTA, 28/01/22 (notice of self report of working outside the approved construction boundary and breach of C4b))</p>	<p>The Department approved the CEMP on 23/01/20</p> <p>Construction commenced 02/12/20.</p> <p>Evidence indicates that construction is being carried out in accordance with the CEMP and Sub-plans.</p> <p>Non-compliance: The auditees self reported a breach of C4b) due to Georgiou having stored precast stormwater drainage structures and pipework outside of the construction boundary identified in Figure 1-3 of the Construction Environmental Management Plan (CEMP). Further, the non-compliance was not reported within the timeframe specified by C11. The Department elected to not take further regulatory action in relation to the matter.</p> <p>Refer also to the non-conformities identified in Appendix B.</p>	NC
Operational Environmental Management Plan				
C5	The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition C1 and submit it to the Planning Secretary for approval.	Site inspection 16/03/22	The project is in construction	NT
C6	<p>As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following:</p> <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 16/03/22	The project is in construction	NT
C7	<p>The Applicant must:</p> <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 16/03/22	The project is in construction	NT
Revision of Strategies, Plans and Programs				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C8	<p>Within three months of:</p> <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, <p>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.</p>	<p>Notification of review (DPIE Post Approval Portal Lodgement 09/03/21)</p> <p>Letter DPE to SIMTA, 21/05/21 (approval of updated CEMP and Sub-plans)</p> <p>Georgiou Beacon System, Incident register, current to 16/03/22</p> <p>1232 Woolworths Janus DC - Incident Register, RCC.</p> <p>DPE post approval portal lodgement, 07/05/21 (submission of Audit Report No. 1 and response to Department)</p> <p>MOD-2, approved 30/09/2021</p> <p>Meeting minutes, DPE and SIMTA, 19/10/21</p> <p>Interview with auditees 24/03/22</p>	<ul style="list-style-type: none"> a) No reportable incidents under SSD 7709. b) The first Independent Audit was submitted on 07/05/21. c) Modification 2 was approved on 30/09/21. A review was notified at a meeting with DPE on 19/10/21 d) It is understood that there have been no directions have been received by the Department relating to reviews. <p>Observation: There was no review or notification of a review within 3 months of the submission of the Independent Audit. That being said a review of the plans did occur during the audit and the updated plans were submitted around that time. The revised plans were approved by the Department in May 2021, which was within 3 months of submission of the first Independent Audit.</p>	C
C9	<p>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> <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>	As above	As above. Further updates were completed on the CEMP and sub-plans to cater for MPW3. These were approved by the Department throughout 2021. Refer C2 and C3.	C
Reporting and Auditing				
Incident Notification, Reporting and Response				
C10	<p>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.</p>	<p>Interview with auditees 24/03/22</p> <p>Georgiou Beakon System, Incident register, current to 16/03/22</p> <p>1232 Woolworths Janus DC - Incident Register, RCC.</p>	No notifiable incidents have been identified by the project team on SSD 7709.	NT
Non-Compliance Notification				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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.	<p>Email, DPE to SIMTA, 06/08/21 (notice regarding self report breach of B138)</p> <p>Email DPE to SIMTA, 28/01/22 (notice of self report of working outside the approved construction boundary and breach of C4b))</p> <p>Letter DPE to SIMTA, 28/01/22 (Department notice of breach of B171).</p>	<p>The auditees self reported a breach of B138 (failure to submit a noise assessment report to the Department) in accordance with C11 on 29/07/21. The Department elected to not take further regulatory action in relation to the matter.</p> <p>Non-compliance: The auditees self reported a breach of C4b) due to Georgiou having stored precast stormwater drainage structures and pipework outside of the construction boundary identified in Figure 1-3 of the Construction Environmental Management Plan (CEMP). Further, the non-compliance was not reported within the timeframe specified by C11. The Department elected to not take further regulatory action in relation to the matter.</p> <p>Further to the above, the Auditor observes that the breach against B171 (as set out in the Department's letter dated 28/01/22) was not considered a non-compliance by the auditee and, therefore, was not notified in accordance with this condition.</p>	NC
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.	<p>Email, DPE to SIMTA, 06/08/21 (notice regarding self report breach of B138)</p> <p>Email DPE to SIMTA, 28/01/22 (notice of self report of working outside the approved construction boundary and breach of C4b))</p> <p>Letter DPE to SIMTA, 28/01/22 (Department notice of breach of B171).</p>	<p>As above. The self reporting of incidents included details in line with this condition. Again, the Auditor observes that the breach against B171 (as set out in the Department's letter dated 28/01/22) was not considered a non-compliance by the auditee and, therefore, was not notified in accordance with this condition.</p>	C
C13	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	<p>Interview with auditees 24/03/22</p> <p>Georgiou Beakon System, Incident register, current to 16/03/22</p> <p>1232 Woolworths Janus DC - Incident Register, RCC.</p>	No notifiable incidents have been identified by the project team on SSD 7709.	NT
Compliance Reporting				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C14	<p>No later than six weeks before the date notified for the commencement of construction and operation, a Construction Compliance Monitoring and Reporting Program and Operational Compliance Monitoring and Reporting Program respectively, prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.</p> <p>Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).</p> <p>The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.</p>	<p>Compliance Monitoring and Reporting Program, SIMTA, 15/01/20</p> <p>Moorebank Precinct West (SSD 7709) Stage 2: Construction Compliance Report - #1, December 2020 – May 2021, 21/07/21</p> <p>Email SIMTA to Certifier, 22/07/21 (submission of CCR1 and notification that its publicly available).</p> <p>DPE post approval portal lodgement, 21/07/21 (lodgement of CCR1 to Department and notification of publication).</p>	<p>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. Refer Independent Audit No. 1.</p> <p>CCR1 was prepared and submitted and notified for publication in accordance with the condition. it is available on the Project website.</p> <p>Non-compliance: The Compliance Monitoring and Reporting Program, and the Department's Compliance Reporting Post Approval Requirements identifies construction compliance reports to be prepared at intervals of 6 months from the date of commencement of construction. Construction Compliance Report 1 was finalised on 21/07/21. Construction Compliance Report 2 was therefore due to be finalised by 21/01/22. Construction Compliance Report 2 is still being prepared.</p>	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 16/03/22	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.	<p>Moorebank Park West Stage 2 – SSD 7709 Independent Audit Program, Rev 2, WolfPeak, 18/11/19</p> <p>Email Certifier to SIMTA, 10/02/20 (Audit Program)</p> <p>Post Approval Portal Snapshot 21/02/20</p>	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
C17	<p>Independent Audits of the development must be carried out in accordance with:</p> <ol style="list-style-type: none"> the Independent Audit Program submitted to the Department and the Certifying Authority under condition C16 of this consent; and the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018). 	<p>Letter DPIE to SIMTA, 17/04/20</p> <p>Moorebank Park West Stage 2 – SSD 7709 Independent Audit Program, Rev 2, WolfPeak, 18/11/19</p> <p>Independent Audit Report Moorebank Intermodal Precinct West Stage 2 – SSD 7709, WolfPeak, 22/04/21</p> <p>Email DPE to SIMTA, 01/02/22 (notice regarding late submission of the first Independent Audit report (breach of C17b)), and the need to include the response to the findings and breach notices in the second Independent Audit)</p>	<p>The auditors were approved on 17/04/20.</p> <p>This audit was conducted in accordance with the IAPAR and the Audit Program.</p> <p>The Department did not provide any comment on the first Independent Audit Report.</p> <p>Non-compliance: The Department provided written directions in relation to the submission of the first Independent Audit report (breach of C17b)), and the need to include the response to the findings and breach notices in the second Independent Audit. The Department considered that the first Independent Audit Report was due to be submitted within 20 weeks of January 2020 (not from December 2020 as stated by the auditees).</p>	NC

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
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. 	<p>Independent Audit Report Moorebank Intermodal Precinct West Stage 2 – SSD 7709, WolfPeak, 22/04/21</p> <p>Email SIMTA to Certifier, 7/05/21 (submission of Audit Report No. 1 and response to Certifier)</p> <p>Letter SIMTA to Department, - 07/05/21 (submission of Audit Report No. 1 and response to Department)</p> <p>DPE post approval portal lodgement, 07/05/21 (submission of Audit Report No. 1 and response to Department)</p>	The first Audit Report and the response was provided to the identified stakeholders. Publication was also notified. Both the Audit Report and the response are on the Project website.	C
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 16/03/22	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. <p><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></p>	<p>Dust deposition results, ALS, 13/12/21 (Nov 21 results), 04/01/22 (Dec 21 results), and 01/02/22 (Jan 22 results).</p> <p>Independent Audit Report Moorebank Intermodal Precinct West Stage 2 – SSD 7709, WolfPeak, 22/04/21</p>	<p>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.</p> <p>The first and the second audit have been conducted in accordance with ISO 19011 and the IAPAR.</p>	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> <ol style="list-style-type: none"> 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; all current statutory approvals for the development; all approved strategies, plans and programs required under the conditions of this consent; the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; minutes of CCC meetings; 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; 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; a summary of the current stage and progress of the development; contact details to enquire about the development or to make a complaint; a complaints register, updated monthly; the Compliance Reporting of the development; audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report; 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/project-wide/</p> <p>https://simta.com.au/category/current-works/</p> <p>https://simta.com.au/contact-us/</p> <p>https://simta.com.au/newsletter/</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:</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.</p>	C

APPENDIX B – CEMP & SUB-PLAN MITIGATION MEASURES

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status																				
Construction Environmental Management Plan (10/08/2021)																								
Daily Observations, Section 4.2.1, pg 76	4.2.1 Daily Observations A daily pre-start on plant and equipment will be undertaken and any leaks, fauna relocation or excessive emissions reported to the Contractor's EM. Site environmental controls will be inspected daily by the Contractor's EM or their delegate. Each work team must inspect the environmental controls as relevant to their work area.	BMD Photo CT2 Crane pre-start plant check Plant assessor extract Daily inspection 31/05/21, 27/09/21, 27/11/22, 14/02/22 plus register with 51 x records for 2022. RCC Hammertech plant inspection register (online) Clarke McKay daily logbook ISS 40993 Georgiou Beakon daily observation controls / prestart 20/01/22 Beakon Detailed Hazard Inspection DHI-MP_1233, DHI-MP_1200, DHI-MP_1111	Plant is being assessed each day. Daily inspections are occurring.	C																				
Inspections, Section 4.2.2, pg 76	4.2.2 Inspections Table 4-1 provides a summary of the minimum inspections that will be undertaken for the Project. Table 4-1 Inspection Summary <table border="1"> <thead> <tr> <th>Inspection Type</th><th>Frequency</th><th>Focus</th><th>Responsibility</th><th>Record</th></tr> </thead> <tbody> <tr> <td>Environment site inspection</td><td>Weekly</td><td>Relevant social and environmental aspects related to works period</td><td>Contractor's EM</td><td>Inspection log / report</td></tr> <tr> <td>Rainfall and pre-shutdown inspection</td><td>Detailed within CSWMP</td><td>Erosion and sediment controls</td><td>Contractor's EM</td><td>Inspection log / report</td></tr> <tr> <td>ER Inspection</td><td>Fortnightly</td><td>Compliance with CoC</td><td>ER</td><td>ER Report</td></tr> </tbody> </table> ER inspections are expected to be undertaken fortnightly. The frequency of inspections will be determined based on the nature of current / upcoming works and the location of works (e.g. proximity to environmentally sensitive areas).	Inspection Type	Frequency	Focus	Responsibility	Record	Environment site inspection	Weekly	Relevant social and environmental aspects related to works period	Contractor's EM	Inspection log / report	Rainfall and pre-shutdown inspection	Detailed within CSWMP	Erosion and sediment controls	Contractor's EM	Inspection log / report	ER Inspection	Fortnightly	Compliance with CoC	ER	ER Report	BMD Weekly environmental inspection register current to 11/03/22 Pre and post wet weather inspection register current to 08/03/22 BMD Myjob corrective actions register current to 05/03/22 RCC Hammertech inspection register (online) Weekly inspection records Feb 22 Pre and post wet weather inspection reports 18/02/22 Georgiou Beakon weekly inspection (inc pre rainfall) 21/02/22, 23/12/21 Beakon weekly inspection register (online) Beakon ERSED (rainfall) inspections 09/03/22 register (online)	Inspections are being carried out in accordance with section 4.2.2 of the CEMP. Inspection include checks for each relevant aspect to the work. The inspections include assessment of air quality, noise and vibration, hours, waste, water, erosion and sediment control, flora and fauna, spills and chemical storage. Wet weather inspections carried out prior to the Feb-March storm events indicate the site controls were assessed and deemed satisfactory by the site environment manager. Inspections identify any deficiencies and these are assigned and actioned. Inspection reports are distributed up to the Principal to collate and incorporate into the Compliance Reports. Non-conformance: RCC did not undertake inspections on	NC
Inspection Type	Frequency	Focus	Responsibility	Record																				
Environment site inspection	Weekly	Relevant social and environmental aspects related to works period	Contractor's EM	Inspection log / report																				
Rainfall and pre-shutdown inspection	Detailed within CSWMP	Erosion and sediment controls	Contractor's EM	Inspection log / report																				
ER Inspection	Fortnightly	Compliance with CoC	ER	ER Report																				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	<p>The weekly environment inspections, undertaken by the Construction Contractor, will cover the environmental aspects of the Project which are relevant to the stage of works being undertaken. The purpose of these inspections is to:</p> <ul style="list-style-type: none"> Determine compliance with CoC Determine conformance with management measures detailed within sub-plans Review the performance and effectiveness of environmental controls Identify non-conformance to expected performance levels or implementation of controls expected under this CEMP and the respective sub-plans Document observations and track performance. <p>The Construction Contractor will develop and use an environment inspection checklist to document performance and identify potential issues on site. Any corrective actions undertaken are required to be documented, in accordance with the requirements described in Section 4.4.</p> <p>Weekly inspection checklists will be forwarded to the Principal's Representative upon request.</p>		a weekly basis between 24/11/21 and 12/01/22.	
Construction Flora and Fauna Management Plan (17/03/2021)				
Vegetation Management Actions, Section FF 15, pg 34	No spoil, excavated material, plant or equipment is to be stockpiled or stored within vegetation exclusion zones	<p>BMD</p> <p>Site inspection 16/03/22</p> <p>Aerial photo 18/02/22</p> <p>Weekly environmental inspection register current to 11/03/22</p> <p>RCC</p> <p>Site inspection 16/03/22</p> <p>Hammertech inspection register (online)</p> <p>Weekly inspection records Feb 22</p> <p>Georgiou</p> <p>Site inspection 16/03/22</p> <p>Beakon weekly inspection (inc pre rainfall) 21/02/22, 23/12/21</p> <p>Beakon weekly inspection register (online)</p> <p>Email DPE to SIMTA, 28/01/22 (notice of self report of working outside the approved construction boundary and breach of C4b))</p>	Non-conformance: The auditees self reported a breach of C4b) due to Georgiou having stored precast stormwater drainage structures and pipework outside of the construction boundary identified in Figure 1-3 of the Construction Environmental Management Plan (CEMP). Further, the non-compliance was not reported within the timeframe specified by C11. The Department elected to not take further regulatory action in relation to the matter.	NC
Vegetation Management Actions, Section FF 17, pg 34	Suitable habitat elements (e.g. large woody debris) within the vegetation clearing zone may be stockpiled for later use in vegetation restoration	<p>Site inspection 16/03/22</p> <p>Aerial photo 18/02/22</p> <p>Weekly environmental inspection register current to 11/03/22</p>	No works appear to have occurred within exclusion areas.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Fauna Management Actions, Section FF 25, pg 35	The relocation of fauna to adjacent retained habitat will be undertaken by a Project Ecologist during the supervision of vegetation removal	Interview with auditees 16/03/22 Post clearing assessment, Narla, 12/10/21	Two non-threatened birds were identified during clearing and these were taken by the ecologist to the nearby vet for care. Several non-threatened turtles was identified internal to site (not during vegetation removal). This was relocated by the contractor EM to the Georges River.	C
Fauna Management Actions, Section FF 27, pg 35	During drainage of any waterbodies, under the supervision of the project ecologist, turtles and frogs must be relocated to either the Georges River or existing pond at the northern end of the Project Site. Native fish endemic to the Sydney area are to be translocated to natural waterways, and pest fish euthanised. If non-endemic native species are encountered on site, DPI Fisheries will be consulted to determine translocation options	Interview with auditees 16/03/22	1 x turtle was relocated (not during vegetation removal). This was relocated by the contractor EM to the Georges River.	C
Bushfire Risk Management Plan (17/03/2021)				
Training, Section BM2, pg 28	All staff will be required to undergo staff / site inductions and toolbox talks. On Total Fire Ban days, staff will be informed during toolbox talks of the Fire Danger for the day and reminded of the relevant emergency response procedures as detailed in the Project CERP	Toolbox talk, 25/02/22 Georgiou Project induction, current to 16/03/22	BMD conducted a toolbox on bushfire (and flood emergency). The Contractor inductions cover access and haul roads, work boundaries, noise, contamination, hazardous materials, spills, dust, flora and fauna, unexpected finds, erosion and sediment controls, bushfire.	C
Construction Activities, Section BM10, pg 29	No vehicles will be permitted to idle while on vegetation to minimise risk of ignition	Site inspection 16/03/22 Interview with auditees 16/03/22	No vegetation used for parking. Site is clear.	NT
Vegetation Management, Section BM24, pg 30	Vegetation buffer zone (as shown on) will be clearly designated and shall not be used at any time for storage of materials during construction	Email DPE to SIMTA, 28/01/22 (notice of self report of working outside the approved construction boundary and breach of C4b))	Non-conformance: The auditees self reported a breach of C4b) due to Georgiou having stored precast stormwater drainage structures and pipework outside of the construction boundary identified in Figure 1-3 of the Construction Environmental Management Plan (CEMP). Further, the non-compliance was not reported within the timeframe specified by C11. The Department elected to	NC

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
			not take further regulatory action in relation to the matter.	
Vegetation Management, Section BM25, pg 30	Stockpiles of mulch will be maintained and turned regularly to minimise potential for spontaneous combustion	Site inspection 16/03/22 Interview with auditees 16/03/22	No mulch.	NT
Services, Section BM26, pg 30	Electricity lines will be regularly inspected to ensure they are not fouled by branches	Site inspection 16/03/22 Interview with auditees 16/03/22	No live OHW within veg areas on site.	NT
Construction Noise and Vibration Management Plan (12/08/2021)				
Noise and Vibration Management Measures, Section NV2, pg 59	<p>Notification of potentially affected people and the relevant council about construction commencement, out-of-hours works, and high noise works will occur in accordance with the Construction Community Communication Strategy and will detail the following at least 14 days prior to commencement of relevant works:</p> <ul style="list-style-type: none"> • Nature of the construction stages • Hours of work • Duration of noisier activities • Measures to minimise noise impacts <p>The Project website, information and response lines, email distribution list and any applicable community-based forums will also be utilised for this purpose.</p>	<p>BMD</p> <p>MLP environmental tracking register)MASTER (current to 15/03/22)</p> <p>OOHW Register, BMD.</p> <p>SIMTA.com.au/category/current-works/</p> <p>RCC</p> <p>OOHW assessments, Slab Finishing Works 07F02, Renzo Tonin</p> <p>OOHW assessment Week end work 12F01, Renzo Tonin</p> <p>OOHW assessment 12F01 Weekend Steel Fixing Work, Renzo Tonin</p> <p>Georgiou</p> <p>MLP environmental tracking register)MASTER (current to 15/03/22)</p> <p>OOHW WTP noise monitoring results 20/01/22</p>	<p>BMD: 8 x OOHW applications have been raised for MPW2. All but 1 x have been approved by the ER. 1 x is pending approval from ER. 3 x OOHW are completed, 1 x active, 4 are upcoming. The website indicates that the OOHW have been notified.</p> <p>RCC: three OOHW (excl oversize delivery) have been undertaken. Each of the assessments predict noise to be below RBL+5. Therefore not notified to community.</p> <p>Georgiou: 1 x OOHW conducted which was assessed as being inaudible.</p>	C
Construction Traffic and Access Management Plan (14/09/2021)				
Heavy Vehicles Management, TA-33, pg 38	All vehicles to travel via nominated construction truck / haulage routes. Use of local roads is prohibited	<p>BMD</p> <p>MAUW and MAAI VMP Rev 7</p> <p>RCC</p> <p>1232 JNDC – Driver Code of Conduct. Docx</p>	<p>BMD issue a consolidated VMP periodically (or specific for certain activities) which identifies gate access and approved routes.</p> <p>RCC: The driver code of conduct identifies the</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Georgiou Georgiou Project induction, current to 16/03/22	requirements of access and haulage including to use of local roads and no heading south from site. The driver code of conduct forms part of the Project Management Plan which is issued to subcontractors. Georgiou: The Contractor inductions cover access and haul roads, work boundaries, noise, contamination, hazardous materials, spills, dust, flora and fauna, unexpected finds, erosion and sediment controls, bushfire. All regular drivers undergo the induction prior to arrival.	
Site Inspections, Section 4.2, pg 42	The construction works will be inspected by the Site Supervisor to verify implementation of the CTAMP. A daily inspection before the start of a construction activity will take place to confirm that appropriate mitigation measures have been implemented where necessary. Environmental inspections will be undertaken in accordance with the CEMP Section 4.2. The ER will also undertake inspections in accordance with MPW Stage 2 CoC A37(e) and MPW Stage 3 CoC B12(e)	BMD Daily signage check, 12/01/22 Daily signage and traffic management check register / file location RCC 1232 JNDC – Site Management Plan 23/02/22 Hammertech Daily Operations Planning Meeting register (online) and meeting 46461 Hammertech safety committee walk register (online) Georgiou Beakon toolbox register (traffic specific), current to 10/03/22	BMD: Twice daily signage checks (during works interfacing with the road) verify that traffic arrangements are in place consistent with the VMP and CTAMP. RCC: the VMP is live and is reviewed during the Daily Operations Planning Meeting and updated as required. The safety committee walks include verification of controls. Issues are reported by exception. Georgiou: Toolbox talks are conducted regularly and discuss traffic related deficiencies, risks and controls.	C
Construction Soil and Water Management Plan (30/03/2021)				
During Construction, Section 4.4, pg 59	Regular inspection and maintenance of sediment fences, sediment basins and other SEC measures will be made following rainfall events greater than 10mm, and inspection of SEC measures and removal of collected material will be undertaken. Replacement of any damaged measures will be performed immediately.	BMD Weekly environmental inspection register current to 11/03/22 Pre and post wet weather inspection register current to 08/03/22 BMD Myjob corrective actions register current to 05/03/22	Inspections are being carried out in accordance with section 4.2.2 of the CEMP and section 4.4 of the CSWMP. Wet weather inspections carried out prior to the Feb-March storm events indicate the site controls were assessed	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<p>Daily inspection 31/05/21, 27/09/21, 27/1/22, 14/02/22 plus register with 51 x records for 2022</p> <p>Field inspection action plan 01/03/22</p> <p>Moorebank ESCP, MADR MAUW MAAI, 15/12/21</p> <p>RCC</p> <p>Hammertech inspection register (online)</p> <p>Weekly inspection records Feb 22</p> <p>Pre and post wet weather inspection reports 18/02/22</p> <p>Georgiou</p> <p>Beakon weekly inspection (inc pre rainfall) 21/02/22, 23/12/21</p> <p>Beakon weekly inspection register (online)</p> <p>Beakon ERSED (rainfall) inspections 09/03/22 register (online)</p>	<p>and deemed satisfactory by the site environment manager.</p> <p>Inspections identify any deficiencies and these are assigned and actioned. Inspection reports are distributed up to the Principal to collate and incorporate into the Compliance Reports.</p>	
Sediment Basin Maintenance, Section 6.3, pg 81	Accumulated sediment will be cleaned out when it reaches the marker board/post, and the original storage volume restored. Sediment will be placed in a disposal area or, if appropriate, mixed with dry soil on the site.	<p>BMD</p> <p>Weekly environmental inspection register current to 11/03/22</p> <p>Pre and post wet weather inspection register current to 08/03/22</p> <p>Field inspection action plan 01/03/22</p> <p>Moorebank ESCP, MADR MAUW MAAI, 15/12/21</p> <p>Site photos 22/02/22 (BMD)</p> <p>Interview with auditees 16/03/22</p> <p>RCC</p> <p>Pre and post wet weather inspection reports 18/02/22</p> <p>2109195-AB-OSD-01B (survey pick up of RCC pad D basin).</p> <p>ESCP Phase 2, Rev C2</p> <p>Georgiou</p>	<p>BMD: Basin capacity is established through calculations for the ESCP. This is then surveyed. Whilst there is not evidence that the survey for basin 0A does not verify that the basin met design capacity, a rain event above the design capacity was adequately contained.</p> <p>RCC: Basin capacity is established through calculations for the ESCP. This is then surveyed and verified as being adequate.</p> <p>Georgiou: Evidence shows periodic desilting the E/W2 basin. The primary ERSED plan is approved by the CPESC and the CPESC inspects the site to ensure implementation. No material issues have been identified.</p>	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Enviro Claim December 2021 (desilting east west 2 basin claim) CPESC inspection report November 2021		
Water Quality Monitoring, Section 8.2, pg 85	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. The register is to be maintained up to date for the duration of the approved works and be available on-site for inspection by environmental representative on request	BMD Water discharge monitoring register 2021, BMD RCC RCC water discharge results file / drive Georgiou Georgiou rainfall register, 15/03/22 EPL 21054, discharge monitoring report, January 22	BMD: The register sighted demonstrates that water quality testing is recorded, retained and up to date. The auditees are not aware of the ER requesting this data. RCC: the data is recorded and email is sent to Tactical. Non-conformance: The RCC register does not present the results for each discharge. The register should be updated to capture this information.	NC
Site Inspection and Monitoring, Section 8.3 pg 85	The CPESC will complete a monthly inspection. The CPESC will oversee the installation and maintenance of all soil and water management works on the site. The CPESC will prepare a monthly written report that will provide recommendations for site implementation of measures. The CPESC monthly report will be provided to the Planning Secretary (the DPIE Post-approvals and Compliance teams respectively) on a monthly basis.	CPESC inspection report 25/01/22, 22/02/22 DPE post approval portal lodgement 25/02/22 DPE post approval portal lodgement records, 08/12/21, 24/01/22, 04/02/22, 25/02/22.	The CPESC reports show that inspections are occurring monthly and recommendations on improvement are being made. These are being submitted monthly.	C
Acid Sulfate Soil Management Plan (30/02/2020)				
Monitoring requirements During Excavation of OSD Basins, Section 7.2, pg 21	During excavation of the OSD Basins an ESQP will be present daily to carry out inspections of excavated materials for the presence of suspected PASS or AASS.	OSD 5 PASS soil update, JBS&G, 16/12/21, 15/12/21 and 03/12/21	The contaminated land consultants are regularly on site to inspect and sample materials, advise on dosing rates, and post treatment testing.	C
Dewatering, Section 7.7, pg 24	Monitoring of groundwater levels must be undertaken during construction to confirm the proposed methodology is not resulting in dewatering of the aquifer. This will be undertaken by the ESQP. Groundwater monitoring wells adjacent the OSD Basin 5, 6 and 8 will have the water level gauged once per week during excavation.	Interview with auditees 16/03/22	OSD Basin 5, 6 and 8 all sit above the groundwater level.	NT
Treatment, Section 7.8, pg 25	Progressive neutralisation of stockpiled soil will be undertaken to minimise the size of the soil treatment area.	OSD 5 PASS soil update, JBS&G, 16/12/21, 15/12/21 and 03/12/21	The contaminated land consultants are regularly on site to inspect and sample materials, advise on dosing rates, and post treatment testing.	C
Validation Sampling and Analysis, Section 7.10, pg28	Inspections and testing of stockpiled spoil placed within the treatment area shall be undertaken every 1-2 days to determine whether the additional Aglime is required.	OSD 5 PASS soil update, JBS&G, 16/12/21, 15/12/21 and 03/12/21	The contaminated land consultants are regularly on site to inspect and sample materials, advise on dosing	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
			rates, and post treatment testing.	
Validation Sampling and Analysis, Section 7.10, pg28	Inspections of stockpiles for visual signs of seepage impacted by ASS including milky waters, iron staining and sulfur odour should be undertaken daily.	OSD 5 PASS soil update, JBS&G, 16/12/21, 15/12/21 and 03/12/21	<p>The contaminated land consultants are regularly on site to inspect and sample materials, advise on dosing rates, and post treatment testing.</p> <p>Non-conformance: Inspections are not documented as occurring daily, however the stockpiles of PASS/ASS are placed in an area fully contained so seepage risk is controlled. A small amount of localized odour was observed on site (not off site) and there does not appear to be documented odour inspection occurring. The Auditor is not aware of any odour complaints having been raised.</p>	NC
Contamination Management Plan (30/07/2020)				
Supervision, Section 5.4, pg 25	The management and validation works will be supervised by an appropriately qualified and experienced environmental consultant and, where required, undertaken by an appropriately licensed contractor.	<p>BMD</p> <p>121-2092 Stockpile register Rev 1, BMD</p> <p>L113 SP201 and SP202 Assessment, Rev0, JBS&G</p> <p>Interview with auditees 16/03/22</p> <p>RCC</p> <p>PFAS soil classification reports (ENV01-06), Ground Technologies</p> <p>Georgiou</p> <p>JBS&G clearance maps 09/02/22</p> <p>L113 SP201 and SP202 Assessment, Rev0, JBS&G</p> <p>Interview with auditees 16/03/22</p>	<p>Each stockpile of excavated material undergoes assessment against LTEMP reuse criteria and the assessment determines where material can be used on site or if it needs to be disposed of offsite. Specific coding and classification has been adopted. A living register is maintained and is able to demonstrate where material has been sourced, testing results and where it has been directed to.</p> <p>The auditees are not aware of any events of mishandling of stockpiles.</p>	C
Supervision, Section 5.4	All materials generated as part of the management works within the vegetated areas under the CMP will be tracked via a Materials Tracking Plan (MTP) by the Principal Contractor. The aim of the MTP is to identify the source and destination of all materials on the Site at any time and requires the following tasks:	<p>BMD</p> <p>121-2092 Stockpile register Rev 1, BMD</p>	Each stockpile of excavated material undergoes assessment against LTEMP reuse criteria and the	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	<ul style="list-style-type: none"> Establish and maintain a nomenclature system for identification of all source and destination areas for soil both on and off the Site. This includes excavations, stockpiles (both clean and potentially contaminated), soils for treatment or disposal (including destination) and offsite sources of material; Use appropriate signage to identify the classification of the material and area number for each excavation prior to soil movement using the project documentation or in consultation with the Contract Administrator, prior to work being undertaken; Complete a 'Record of Soil Movement' sheet identifying the source of the materials, classification, volume, and destination area of each load of material moved on or off-site; Place the soil in an approved location for the material based on its soil classification; Maintain the location of the soil without mixing with other soil classes; and Educate all operators in the requirements of the system. Monitoring and Review 	<p>L113 SP201 and SP202 Assessment, Rev0, JBS&G</p> <p>Interview with auditees 16/03/22</p> <p>BMD Trimble stratus, BMD</p> <p>RCC</p> <p>PFAS soil classification reports (ENV01-06), Ground Technologies</p> <p>Georgiou</p> <p>MTP 220311 Stockpile Tracking Register.</p> <p>Contaminated Material Tracking Form (Loop Road Fill, and for offsite disposal)</p> <p>L113 SP201 and SP202 Assessment, Rev0, JBS&G</p> <p>Interview with auditees 16/03/22</p>	<p>assessment determines where material can be used on site or if it needs to be disposed of offsite. Specific coding and classification has been adopted. A living register is maintained and is able to demonstrate where material has been sourced, testing results and where it has been directed to. Material to date has been retained on site.</p> <p>This is then able to be reviewed against GIS / aerials with stockpile layer / level data.</p> <p>The auditees are not aware of any events of mishandling of stockpiles.</p>	
Per & Poly-Fluoroalkyl Substances (PFAS) Management Plan (07/12/2020)				
Controls and Mitigation Measures, Section 7, pg 25	Project inductions to identify areas with high risk of PFAS contamination.	121 2092 Moorebank Ave Site Induction 2022	<p>The induction identifies the presence of PFAS, however there are no areas on site considered by the auditees as high risk.</p> <p>The induction covers access and haul roads, work boundaries, noise, contamination, hazardous materials, spills, dust, flora and fauna, unexpected finds, erosion and sediment controls, bushfire.</p>	C
Waste Classification, Disposal and/or Management, Section 9, pg 35	If material is to be disposed off-site, a waste classification must be undertaken in accordance with NSW EPA (2014), as amended, by an appropriately experienced Environmental Consultant.	<p>121-2092 Stockpile register Rev 1, BMD</p> <p>L113 SP201 and SP202 Assessment, Rev0, JBS&G</p> <p>Interview with auditees 16/03/22</p> <p>BMD Trimble stratus, BMD</p> <p>Contaminated Material Tracking Form (offsite disposal)</p> <p>Waste Classification Report, UF282, JBS&G</p>	Each stockpile of excavated material undergoes assessment against LTEMP reuse criteria and the assessment determines where material can be used on site or if it needs to be disposed of offsite. Specific coding and classification has been adopted. A living register is maintained and is able to demonstrate where material	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<p>BINGO letter of acceptance 18/08/20 (letter of acceptance for UF282 at EPL 13426).</p> <p>Georgiou Waste Register current to Jan 22.</p>	<p>has been sourced, testing results and where it has been directed to. Material to date has been retained on site.</p> <p>This is then able to be reviewed against GIS / aerials with stockpile layer / level data.</p> <p>The auditees are not aware of any events of mishandling of stockpiles.</p>	
Waste Classification, Disposal and/or Management, Section 9, pg 35	All waste must be disposed to an appropriately NSW EPA licenced landfill facility allowed to accept the waste	<p>121-2092 Stockpile register Rev 1, BMD</p> <p>L113 SP201 and SP202 Assessment, Rev0, JBS&G</p> <p>Interview with auditees 16/03/22</p> <p>BMD Trimble stratus, BMD</p>	<p>Each stockpile of excavated material undergoes assessment against LTEMP reuse criteria and the assessment determines where material can be used on site or if it needs to be disposed of offsite. Specific coding and classification has been adopted. A living register is maintained and is able to demonstrate where material has been sourced, testing results and where it has been directed to. Material to date has been retained on site.</p> <p>This is then able to be reviewed against GIS / aerials with stockpile layer / level data.</p> <p>The auditees are not aware of any events of mishandling of stockpiles.</p>	C

APPENDIX C – PLANNING SECRETARY AGREEMENT OF INDEPENDENT AUDITORS



17 April 2020

Dear [REDACTED]

**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.

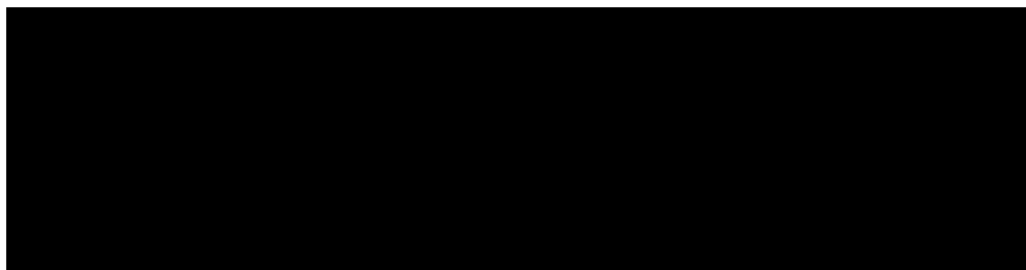
In accordance with Condition C16 of SSD 7709 and the *Independent Audit Post Approval Requirements* (Department 2018), the Secretary has agreed to the following audit team: [REDACTED]

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.



APPENDIX D – CONSULTATION RECORDS

Derek Low

From:

Thursday, 3 March 2022 2:52 PM

To:

Subject:

Re: Independent Audit No. 2 of Moorebank Intermodal Precinct West - Stage 2 (SSD 7709)

Dear

Thank you for your below consultation email in relation to the second independent audit for Moorebank Intermodal Precinct West – Stage 2 (SSD 7709).

The Department requests that the following is examined:

- Verify whether works that have been nominated by the Project as MPW Stage 2 activities have been approved under the MPW Stage 2 SSD 7709.
- Considering recent weather events, check maintenance of ERSED controls and determine adequacy of those controls.

The Department does not recommend any other parties or agencies, other than those mentioned below, to be consulted.

Happy to discuss.

Kind regards,

Senior Compliance Officer

Planning & Assessment | Department of Planning and Environment

Locked Bag 5022 | PARRAMATTA NSW 2124

www.dpie.nsw.gov.au



The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via compliance@planning.nsw.gov.au.

The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).

From: [REDACTED] >
Sent: Monday, 28 February 2022 2:21 PM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Subject: Independent Audit No. 2 of Moorebank Intermodal Precinct West - Stage 2 (SSD 7709)

Hi there.

I am one of the Department of Planning 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 second 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 16 March 2022 (with the final report submitted two months afterwards) 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.

[REDACTED] Principal Environmental Consultant
General Manager



[REDACTED]
www.wolfpeak.com.au

[REDACTED]

From: [REDACTED]

Wednesday, 16 March 2022 5:16 PM

To: [REDACTED]

Subject:

RE: Independent Audit No. 2 of Moorebank Intermodal Precinct West - Stage 2 (SSD 7709) 2021/4095

Hi [REDACTED]

Without knowing the conditions in detail, Council has high-level general concerns as received from nearby residents and community members in relation to:

- Storm water management (local flooding typically);
- Noise;
- Traffic issues eg Anzac road use, congestion on M5 already, Moorebank Avenue delays;
- Pollution of air – diesel fumes; and
- Water quality into river.

A key concerns is often where is air quality and noise impacts being monitored, and why is this data not publicly published to the community.

Kind regards,

[REDACTED]
Coordinator Strategic Planning

**LIVERPOOL
CITY
COUNCIL**



www.liverpool.nsw.gov.au

[REDACTED] 2170, Australia



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From: [REDACTED]

Sent: Monday, 28 February 2022 2:22 PM

To: [REDACTED]

Subject: Independent Audit No. 2 of Moorebank Intermodal Precinct West - Stage 2 (SSD 7709) 2021/4095

Hi there.

I am one of the Department of Planning 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 second 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 16 March 2022 (with the final report submitted two months afterwards) and pertains to post-approval requirements and compliance.

In accordance with Section 3.2 of the IAPAR, I am consulting with 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 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.

General Manager



E:

www.wolfpeak.com.au

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From: [REDACTED]
Sent: Monday, 28 February 2022 2:22 PM
To: info@epa.nsw.gov.au
Subject: Independent Audit No. 2 of Moorebank Intermodal Precinct West - Stage 2 (SSD 7709)

Hi there,

I am one of the Department of Planning 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 second 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 16 March 2022 (with the final report submitted two months afterwards) 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.


[REDACTED] Principal Environmental Consultant

General Manager




www.wolfpeak.com.au

APPENDIX E – MEETING SIGN ON SHEET

 **wolfpeak** | environment
heritage

INDEPENDENT AUDIT MEETING ATTENDANCE RECORD





PROJECT (NAME AND APPROVAL NUMBER)	MPW2 SSO 7709		
DATE	16/3/22 24/3/22		
LOCATION	ONSITE + AFTER OFFICE		
OPENING MEETING			
	ORGANISATION	SIGNATURE	




 **wolfpeak** | environment
heritage

Peak Pty Ltd | ABN 52 152 940 586

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 Sydney office | Suite 2, Level 10, 189 Kent Street, Sydney NSW 2000
 Wauchope office | 17A High Street, Wauchope NSW 2446
 www.wolfpeak.com.au

APPENDIX F – SITE INSPECTION PHOTOGRAPHS

No.	Comment	Photograph
1	SSD 7709 stockpiles	
2	Dewatering in between significant March 2022 storms	
3	Storm damage on the banks of the Georges River at the stormwater outlets	
4	Storm damage on the banks of the Georges River at the stormwater outlets	

No.	Comment	Photograph
5	Storm damage on the banks of the Georges River at the stormwater outlets	
6	Storm damage on the banks of the Georges River at the stormwater outlets	
7	Dewatering in between significant March 2022 storms	

No.	Comment	Photograph
8	Concrete waste / washout at Richard Crookes Construction site	 <p>A photograph showing a construction site with a large pile of concrete waste and washout in the foreground. In the background, there is a large industrial building under construction with a steel frame and a blue crane.</p>
9	Warehouse construction well advanced	 <p>A photograph showing the interior of a large warehouse under construction. The steel frame is well-advanced, and the floor is being prepared. A worker in a yellow shirt and hard hat is visible in the foreground, and a scissor lift is parked nearby.</p>
10	Northern roadway construction underway at BMD site.	 <p>A photograph showing a construction site for a northern roadway. A concrete mixer truck is parked on the road, and several workers in high-visibility vests are visible. The area is marked with orange traffic cones and safety barriers.</p>

APPENDIX G – DECLARATION FORMS

Declaration of Independence - Auditor



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 <u>Qube</u> Holdings Limited
Title of audit	Independent Audit No 2.
Date:	21/04/22

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:

- the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2018)*;
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- 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;
- 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;
- 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
- 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:

- 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
- 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:	
Signature:	
Qualification:	Master of Environmental Engineering Management Exemplar Global Auditor Number 114283
Company:	WolfPeak Pty Ltd

Declaration of Independence - Auditor



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 No 2.
Date:	21/04/22

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:

- the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2018)*;
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- 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;
- 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;
- 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
- 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:

- 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
- 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:	
Signature:	
Qualification:	Bachelor of Science (Honours) Exemplar Global Auditor Number 110498
Company:	WolfPeak Pty Ltd