

INDEPENDENT AUDIT REPORT

MOOREBANK INTERMODAL PRECINCT EAST
OPERATIONS


STAGE 1 Intermodal Facility (SSD-6766) and STAGE 2
Warehousing (SDD-7628)

JUNE 2021

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EXECUTIVE SUMMARY

The Sydney Intermodal Terminal Alliance (SIMTA) is responsible for delivering the development of an intermodal facility, which involves the construction and operation of intermodal freight terminal facilities, linked to Port Botany and the interstate rail network. The site is located on both sides of Moorebank Avenue, Moorebank, within the Liverpool City Council Local Government Area, approximately 27 kilometres south-west of the Sydney Central Business District.

The intermodal facility comprises two separate project areas, namely Moorebank Logistics Park – Precinct East (MPE) and Moorebank Logistics Park – Precinct West (MPW). Both the MPE and MPW include the development of warehouse and distribution facilities, freight village, rail link and ancillary works such as vegetation clearing and landscaping, remediation, earthworks, road tie-ins, utilities installation/connection and signage.

This Independent Audit relates to the operational phase of MPE (or the Project). An overview of MPE is presented in Figure 1, the main features include:

- The Import Export (IMEX) Terminal
- A Rail Link connecting the IMEX terminal and the Southern Sydney Freight Line (SSFL) traversing Moorebank Avenue, Anzac Creek and Georges River
- Associated ancillary infrastructure including signage, lighting, landscaping, water management
- Warehouse and distribution facilities including warehousing up to 21 m in height, typically ranging in size from 20,000 m² to 62,000 m². Individual warehouses typically comprise the following:
- A freight village including a mix of retail, commercial and light industrial spaces typically up to 15 m in height and varying in size and design
- An internal road network to enable efficient movement of vehicles, dispatch of freight from the warehouses and transport of containers between the IMEX Terminal and warehouse and distribution facilities.

The Project is a staged development, requiring several development consents and approvals over its duration. The following consents and approvals were granted by the now named Department of Planning, Industry and Environment (the Department or DPIE) under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act):

- MPE Concept Plan Approval (MP10_0193) on 29 September 2014
- MPE Stage 1 Intermodal Facility, State Significant Development (SSD) 6766, granted 12 December 2016 (and upheld with revised conditions by the Land Environment Court on 13 March 2018)
- MPE Stage 2 Warehousing, SSD 7628, granted 31 January 2018
- MPE Stage 2 Modification 2, granted 31 January 2020 (SSD 7628 MOD 2)
- MPE Stage 2 Modification 3, granted 18 December 2020 (SSD 7628 MOD 3)
- MPE Stage 2 Modification 4, granted 19 January 2021 (SSD 7628 MOD 4)

As a controlled action, the Project was also required to obtain approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval (EPBC: 2011/6229) was granted by the now named Department of Agriculture, Water and the Environment (DAWE) on 6 March 2014.

Operations of the IMEX Terminal, Rail Link and Area 1 commenced in May 2020, with Area 2 commencing operations in the fourth quarter of 2020. The operations of Areas 3 – 6 have yet to commence.

SSD 6766 Conditions of Consent (CoC) G16 and SSD 7628 C18 and C19 set out the requirements for undertaking Independent Audits. In summary they require that Independent Audits be:

- conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary,
- be carried out in consultation with the relevant agencies and the CCC,
- assess the environmental performance of the development (and tenancies)
- assess whether it is complying with the relevant requirements of the consents, and any strategy, plan or program required under this consent
- review the adequacy of any approved strategy, plan or program required under this consent; and
- recommend appropriate measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under the consents.

Having been granted consent prior to the issue of the Department of Planning Industry and Environment document entitled *Independent Audit Post Approval Requirements* (IAPAR), MPE is not required to comply with this document. However to satisfy the Department's direction in their letters approving the audit team, dated 30 March 2021, this Independent Audit also seeks to address the methodologies and reporting requirements from the IAPAR to the extent that they do not contradict the terms of SSD 6766 and SSD 7628.

This Audit Report presents the findings from the first Independent Audit of the operations of the MPE, covering the period from 17 May 2020 to 16 May 2021. The objective of Independent Audit was to satisfy SSD 6766 CoC G16, SSD 7628 CoCs C18 and C19, and the IAPAR, and to verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project.

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

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

- There were 347 conditions assessed (117 from SSD 6766, 213 from SSD 7628 and 17 from EPBC 2011/6229).

- Four non-compliances were identified against the SSD 6766 CoCs. These relate to mode share for container transport, submission of the container and vehicle movement monitoring report, responses to air quality exceedances and the submission of the Annual Noise Review Report.
- Four observations were identified in relation to the SSD 6766 CoCs. These relate to bunding at the point of refuelling of the Reach Stacker cranes, the date of commencement of operations stated within the Rail Link Noise Monitoring Report and the condition of the Rail Link approximately 200m south of the IMEX Terminal.
- Seven non-compliances were identified against the SSD 7628 CoCs. These relate to the use of warehousing, approval of design of road upgrades, submission of the Biannual Trip Origin Report, responses to air quality exceedances, submission of the Annual Noise Review Report, submitting Site Audit Statements to the Department and sign off of the as-built stormwater systems.
- Three observations were identified in relation to the SSD 7628 CoCs. These relate to ongoing consultation on, and implementation of, the Workplace Travel Plan, and the review of strategies plans and programs.

The Auditor would like to thank the auditees representing SIMTA for their high level of organisation, cooperation and assistance during the Independent Audit

1. INTRODUCTION

1.1 Project overview

The Sydney Intermodal Terminal Alliance (SIMTA) is responsible for delivering the development of an intermodal facility, which involves the construction and operation of intermodal freight terminal facilities, linked to Port Botany and the interstate rail network. The site is located on both sides of Moorebank Avenue, Moorebank, within the Liverpool City Council Local Government Area, approximately 27 kilometres south-west of the Sydney Central Business District.

The intermodal facility comprises two separate project areas, namely Moorebank Logistics Park – Precinct East (MPE) and Moorebank Logistics Park – Precinct West (MPW). Both the MPE and MPW include the development of warehouse and distribution facilities, freight village, rail link and ancillary works such as vegetation clearing and landscaping, remediation, earthworks, road tie-ins, utilities installation/connection and signage.

This Independent Audit relates to the operational phase of MPE (or the Project). An overview of MPE is presented in Figure 1, the main features include:

- The Import Export (IMEX) Terminal comprising:
 - Truck processing, holding and loading areas with an entrance and exit from Moorebank Avenue
 - Rail loading and container storage areas serviced by container handling equipment
 - An administration facility and associated car parking with light vehicle access from Moorebank Avenue
- A Rail Link connecting the IMEX terminal and the Southern Sydney Freight Line (SSFL) traversing Moorebank Avenue, Anzac Creek and Georges River
- Associated ancillary infrastructure including signage, lighting, landscaping, water management
- Warehouse and distribution facilities including warehousing up to 21 m in height, typically ranging in size from 20,000 m² to 62,000 m². Individual warehouses typically comprise the following:
 - Office and administration facilities
 - Amenities
 - Car parking
 - Truck loading/unloading docks
 - Internal parking for pick-up and delivery vehicles (PUD)
 - Specialised sortation and conveyor equipment
 - Hardstand areas that provide trailer parking spaces, external PUD parking spaces, vehicle manoeuvring areas and access to the main internal site road

- Signage for business identification purposes, including backlit illuminated signage on each warehouse
- Internal fitout, comprising racking and storage.
- A freight village including a mix of retail, commercial and light industrial spaces typically up to 15 m in height and varying in size and design
- An internal road network to enable efficient movement of vehicles, dispatch of freight from the warehouses and transport of containers between the IMEX Terminal and warehouse and distribution facilities.

The Project is a staged development, requiring several development consents and approvals over its duration. The following consents and approvals were granted by the now named Department of Planning, Industry and Environment (the Department or DPIE) under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act):

- MPE Concept Plan Approval (MP10_0193) on 29 September 2014
- MPE Stage 1 Intermodal Facility, State Significant Development (SSD) 6766, granted 12 December 2016 (and upheld with revised conditions by the Land Environment Court on 13 March 2018)
- MPE Stage 2 Warehousing, SSD 7628, granted 31 January 2018
- MPE Stage 2 Modification 2, granted 31 January 2020 (SSD 7628 MOD 2)
- MPE Stage 2 Modification 3, granted 18 December 2020 (SSD 7628 MOD 3)
- MPE Stage 2 Modification 4, granted 19 January 2021 (SSD 7628 MOD 4).

As a controlled action, the Project was also required to obtain approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval (EPBC: 2011/6229) was granted by the now named Department of Agriculture, Water and the Environment (DAWE) on 6 March 2014.

Operations of the IMEX Terminal, Rail Link and Area 1 commenced in May 2020, with Area 2 commencing operations in the fourth quarter of 2020. The operations of Areas 3 – 6 have yet to commence.

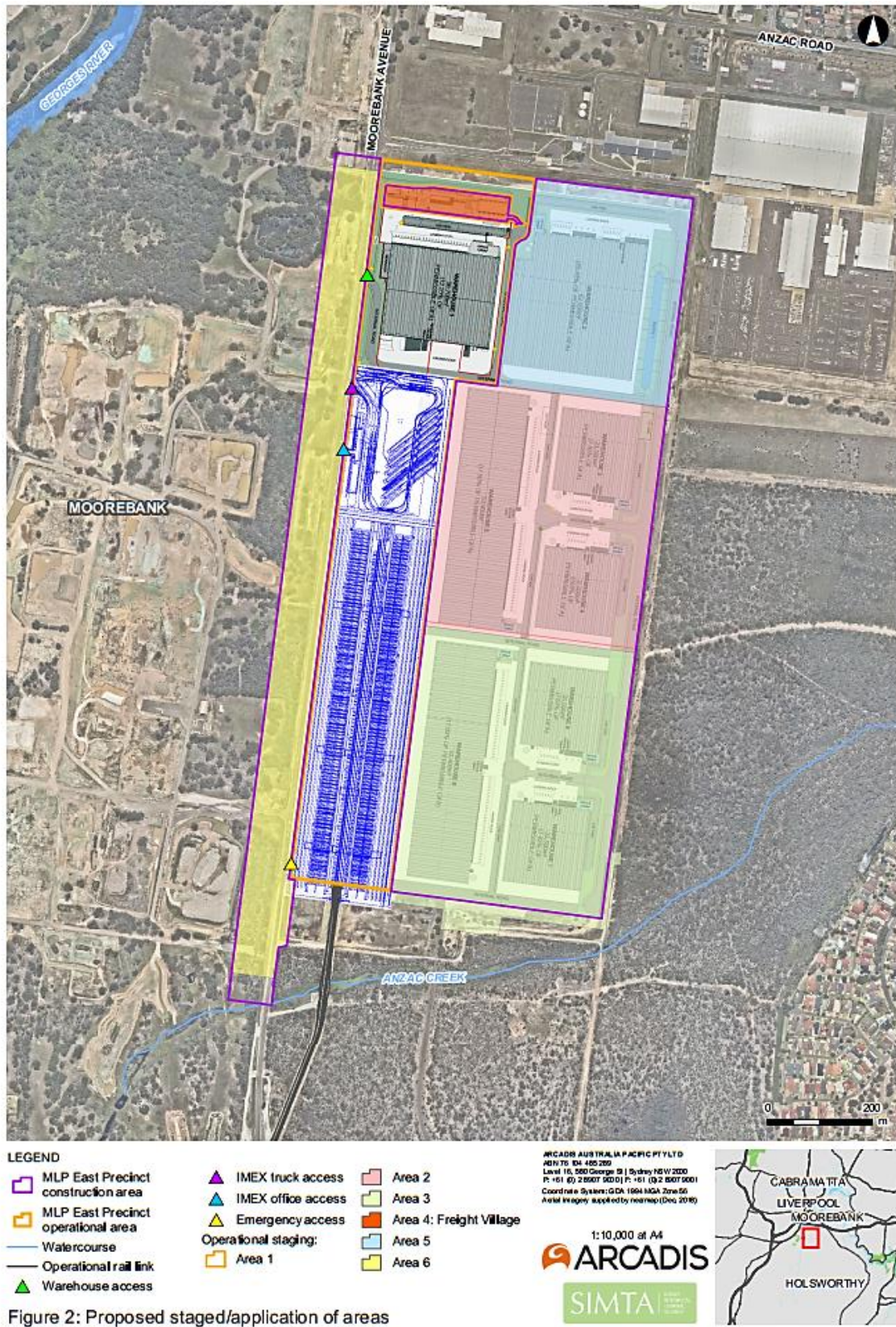


Figure 1: The Project (Source: Program For Operational Phase Documentation, Moorebank Logistics Park – East Precinct, SIMTA, 22 March 2019)

1.2 Approval requirements

The MPE Concept Plan Approval (MP10_0193) did not grant consent to construction or operation of any part of the project and any operational assessment requirements were required to be addressed by subsequent development applications (MPE Stage 1 and Stage 2). There are no operational compliance requirements under MP10_0193 that apply to this Independent Audit.

SSD 6766 (MPE Stage 1) and SSD 7628 (MPE Stage 2) both include specific Independent Auditing requirements. These requirements are summarised in Table 1.

Table 1 SSD 6766 and SSD 7628 Independent Audit Requirements

Consent No.	Condition	Requirement
SSD 6766 (MPE Stage 1)	G16	<p><i>Within 12 months of the commencement of operation, and thereafter at any other stage bi-annually if required by the Secretary, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the SSD. This audit shall:</i></p> <ul style="list-style-type: none"> <i>a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary</i> <i>b) include consultation with the relevant agencies and local Councils</i> <i>c) assess the environmental performance of the SSD and assess whether it is complying with the requirements in this approval, and any other relevant approvals (including any assessment, plan or program required under these approvals)</i> <i>d) review the accuracy of predicted environmental outcomes discussed in the documents listed in condition A1</i> <i>e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and</i> <i>f) recommend measures or actions to improve the environmental performance of the SSD, and/or any strategy, plan or program required under these approvals.</i> <p><i>Within 60 days of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary and relevant public authorities, together with its response to any recommendations contained in the audit report. The audit report and response to any recommendations shall be published on the Project website.</i></p>
SSD 7628 (MPE Stage 2)	C18	<p><i>Within one year of the commencement of any development under this consent, and every three years thereafter, unless the Secretary directs otherwise, the Applicant must commission and</i></p>

		<p><i>pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:</i></p> <p><i>a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary</i></p> <p><i>b) be carried out in consultation with the relevant agencies and the CCC</i></p> <p><i>c) assess the environmental performance of the development (and tenancies) and assess whether it is complying with the relevant requirements in this consent, and any strategy, plan or program required under this consent</i></p> <p><i>d) review the adequacy of any approved strategy, plan or program required under this consent; and</i></p> <p><i>e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under this consent.</i></p>
SSD 7628 (MPE Stage 2)	C19	<p><i>Within three months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Secretary.</i></p>

EPBC Approval 2011/6229 provides Conditions of Approval which relate to operation of the MPE Project, however, Independent Audits are not specifically required unless directed by the Minister under Condition 13. Notwithstanding, the Condition G16 of SSD requires the Independent Audit to assess whether the Project is complying with the consent, and any other relevant approval. Given its relevance, EPBC 2011/6229 has been included in this Independent Audit.

1.3 The audit team

In accordance with SSD 6766 CoC G16 and SSD 7628 CoC C18, 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): 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 30 March 2020. The letters are presented in Appendix D.

1.4 The audit objectives

The objective of this Independent Audit is to satisfy SSD 6766 CoC G16 and SSD 7628 CoCs C18 and C19, and to verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project.

Having been granted consent prior to the issue of the Department of Planning Industry and Environment document entitled *Independent Audit Post Approval Requirements* (IAPAR), MPE is not required to comply with this document. However to satisfy the Department's direction in their letters approving the audit team, dated 30 March 2021, this Independent Audit also seeks to address the methodologies and reporting requirements from the IAPAR to the extent that they do not contradict the terms of SSD 6766 and SSD 7628.

1.5 Audit scope

This Independent Audit relates to the Project works from the commencement of operations on 17 May 2020 to 16 May 2021. Audits for the construction phases for SSD 6766 and SSD 7628 do not form part of this Independent Audit.

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 (operations)
 - 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.

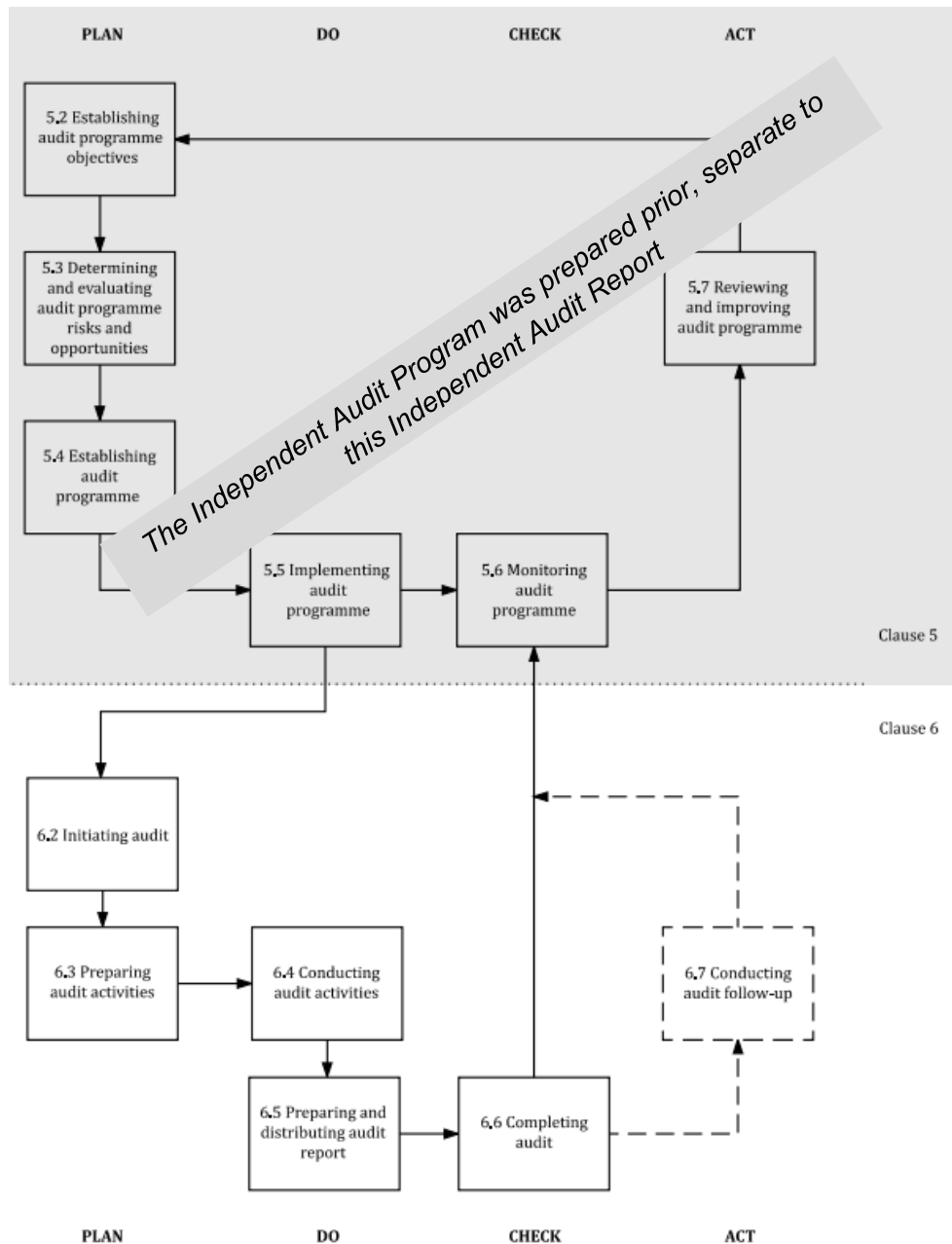


Figure 2 Audit activities overview (modified from AS/NZS ISO 19011). Subclause numbering refers to the relevant subclauses in the Standard.

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 26 April 2021 WolfPeak consulted with the Department, the NSW Environment Protection Authority (EPA), Liverpool City Council and the Community Consultation Committee (CCC) to obtain their input into the scope of the Independent Audit in accordance with SSD 6766 CoC G16, SSD 7628 CoC C18 and 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 2.

Table 2 Key issues and areas of focus raised during consultation

Stakeholder	Issues and Focus	How Addressed
Department of Planning, Industry and Environment	No response	-
NSW EPA	No response	-
Liverpool City Council	Council advised that it considered the scope defined by the consents were adequate.	-
Community Consultation Committee	No written response was provided. A member of the CCC contacted the Auditor by phone and raised several issues regarding compliance with traffic and air quality requirements.	Compliance with the requirements of the consent, including traffic and air quality have been assessed. Refer Appendix A and B.

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:

- *SIMTA Intermodal Terminal Facility – Stage 1 – Environmental Impact Statement, Hyder, May 2014 (SSD 6766 EIS)*
- *SIMTA Intermodal Terminal Facility – Stage 1 – Response to Submissions, Hyder, September 2015 (SSD 6766 RtS)*
- Development Consent SSD 6766, Land Environment Court decision 13 March 2018

- *Moorebank Precinct East - Stage 2 Proposal Environmental Impact Statement, Arcadis, December 2016 (SSD 7628 EIS)*
- *Moorebank Precinct East - Stage 2 Proposal Response to Submissions – SSD 16_7628, Arcadis, July 2017, and associated materials (SSD 7628 RtS)*
- *MPE Stage 2 – Consolidated assessment clarification responses, Arcadis, 10/11/17*
- *Development Consent SSD 7628, granted 31 January 2018*
- *Modification of Development Consent SSD 7628, Aspect, 22 June 2020 (SSD 7628 Modification 1)*
- *Modification of Consent, State Significant Development SSD 7628, Aspect, 5 July 2019 (SSD 7628 Modification 2)*
- *Modification of Development Consent SSD 7628, Aspect, 29 October 2020 (SSD 7628 Modification 4)*
- *Program For Operational Phase Documentation, Moorebank Logistics Park – East Precinct, SIMTA, 22 March 2019 (the POPD)*
- *Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, 27 March 2020 (and 19 February 2021), SIMTA (the OEMP)*
- *Stormwater Infrastructure Operation and Maintenance Plan Moorebank Logistics Park – East Precinct, 26 March 2020, SIMTA (the SIOMP)*
- *Operational Air Quality Management Plan, SIMTA, 27 March 2020 (the OAQMP)*
- *Operational Noise and Vibration Management Plan, SIMTA, 27 March 2020 (the ONVMP)*
- *Heritage Interpretation Plan, 27 June 2019 (the HIP)*
- *Operational Flora and Fauna Management Plan, SIMTA, 27 March 2020 (the OFFMP)*
- *Operational Waste and Resources Management Plan, SIMTA, 27 March 2020 (the OWRMP)*
- *Operation Community Communication Strategy, SIMTA, 27 March 2020 (the OCCS)*
- *Operational Emergency Response Plan, SIMTA, 26 March 2020 (the OERP)*
- *Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19 March 2021 (the BEEMP)*
- *Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, SIMTA, 15 May 2020 (the OTAMP)*
- *Workplace Travel Plan, SIMTA, 13 November 2019 and 26 March 2020 (the WTP).*

2.2.3 Site personnel involvement

The on-site audit activities took place on 10 May 2021. The following personnel took part in the audit:

- Fei Chen – Project Manager – Tactical (representing SIMTA)

- Mark Cugula – Plumbing Supervisor – MID Plumbing (representing SIMTA)
- Michael Beresford – Facilities Manager – Knight Frank (representing SIMTA)
- Derek Low – Auditor – WolfPeak.

2.2.4 Meetings

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

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. Interviews were conducted on 10 and 28 May 2021.

2.2.6 Site inspection

The on-site audit activities took place on 10 May 2021. The on-site audit activities included an inspection of the site and work activities. Photos are presented in Appendix G.

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, B and C.

2.2.8 Generating audit findings

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

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

2.2.9 Compliance evaluation

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

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

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

2.2.10 Evaluation of post approval documentation

The Auditor assessed whether post approval documents:

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

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

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

2.2.11 Completing the audit

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

3. AUDIT FINDINGS

3.1 Approvals and documents audited and evidence sighted

The documents audited comprised all the conditions from SSD 6766, SSD 7628 and EPBC 2011/6229 applicable to the works being undertaken, including but not limited to the:

- *Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, 27/03/20 (and 19/02/21), SIMTA (the OEMP)*
- *Stormwater Infrastructure Operation and Maintenance Plan Moorebank Logistics Park – East Precinct, 26/03/20, SIMTA (the SIOMP)*
- *Operational Air Quality Management Plan, SIMTA, 27/03/20 (the OAQMP)*
- *Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP)*
- *Heritage Interpretation Plan, 27/06/19*
- *Operational Flora and Fauna Management Plan, SIMTA, 27/03/20 (the OFFMP)*
- *Operational Waste and Resources Management Plan, SIMTA, 27/03/20 (the OWRMP)*
- *Operation Community Communication Strategy, SIMTA, 27/03/20 (the OCCS)*
- *Operational Emergency Response Plan, SIMTA, 26/03/20 (the OERP)*
- *Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/21 (the BEEMP).*

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

3.2 Non-compliance, Observations and Actions

This Section, including Table 3, presents the non-compliances and observations from the Independent Audit. Actions in response to each of the findings are also presented. Detailed findings against each requirement are presented in Appendices A, B and C.

- There were 347 conditions assessed (117 from SSD 6766, 213 from SSD 7628 and 17 from EPBC 2011/6229).
- Four non-compliances were identified against the SSD 6766 CoCs. These relate to mode share for container transport, submission of the container and vehicle movement monitoring report, responses to air quality exceedances and the submission of the Annual Noise Review Report.
- Four observations were identified in relation to the SSD 6766 CoCs. These relate to bunding at the point of refuelling of the Reach Stacker cranes, the date of commencement of operations stated within the Rail Link Noise Monitoring Report and the condition of the Rail Link approximately 200m south of the IMEX Terminal.
- Seven non-compliances were identified against the SSD 7628 CoCs. These relate to the use of warehousing, approval of design of road upgrades, submission of the Biannual Trip Origin Report, responses to air quality exceedances, submission of the Annual Noise Review Report, submitting Site Audit Statements to the Department and sign off of the as-built stormwater systems.

- Three observations were identified in relation to the SSD 7628 CoCs. These relate to ongoing consultation on, and implementation of, the Workplace Travel Plan, and the review of strategies plans and programs.

Table 3 Audit findings and actions

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
MPE Stage 1 – SSD 6766						
1	CoC F4 (and FCMM 7D)	Observation	<p>CoC F4 requires that the Applicant shall prepare and implement (following approval) an Operation Environmental Management Plan (OEMP).</p> <p>FCMM from within the OEMP states that residual risk of contamination to soils and groundwater during operation of the Proposal will be mitigated through the implementation of the following mitigation measures, which will be included within the OEMP for the site:</p> <ul style="list-style-type: none"> The proposed diesel tank (used for refuelling) will be self-bunded and compliant with AS - 1940-2004 The storage and handling of flammable and combustible liquids. An Emergency Response Plan (including a Pollution Incident Response Management Plan) will be developed for operation of the Proposal. A spill kit will be provided within the Stage 1 site at all times. A refuelling procedure will be developed and implemented for all refuelling activities undertaken and included in the site OEMP. <p>The point of refuelling the Reach Stacker Cranes is not adequately bunded. In the event of a loss of containment, the spilled material has the potential to enter the rail corridor and / or the stormwater network.</p>	Design and construct secondary containment at the Reach Stacker Crane refuelling area that is able to suitably contain leaks and spills.	SIMTA 30/06/22	OPEN
2	CoC G7	Observation	<p>CoC G7 requires that the Applicant shall provide an annual report (reporting on the noise monitoring undertaken on the Rail Link) to the Secretary with the results of monitoring for a period of 5 years, or as otherwise agreed with the Secretary, from the commencement of operation of the IMEX No 1 terminal.</p> <p>The Rail Link Noise Monitoring Report prepared by Renzo Tonin identifies the commencement of operations as November 2019. The auditees advise that this represents the commissioning phase of the IMEX Terminal and Rail Link prior to operations. The auditees advise that commencement of operations occurred on 17/05/20.</p>	NA	NA	CLOSED
3	CoC G7B	Observation	<p>CoC G7B requires that monitoring of the Rail Link occur as prescribed by the condition, and that (by way of G7B(e) the report of the noise survey including the results and recommendations shall be provided to the Secretary.</p> <p>Note that this finding relates to the same issue as that identified against CoC G7.</p> <p>The Rail Link Noise Monitoring Report prepared by Renzo Tonin identifies the commencement of operations as November 2019. The auditees advise that this represents the commissioning phase of the IMEX Terminal and Rail Link prior to operations. The auditees advise that commencement of operations occurred on 17/05/20.</p>	NA	NA	CLOSED
4	CoC G8	Observation	<p>CoC G8 requires that the following measures must be implemented during operation:</p> <ol style="list-style-type: none"> The use of top of rail friction modifiers and automatic rail lubrication equipment in accordance with ASA Standard T HR TR 00111 ST Rail Lubrication, where required; and Measures to ensure the rail cross sectional profile is maintained in accordance with ETN-01-02 Rail Grinding Manual for Plain Track to ensure the correct wheel / rail contact position and hence to encourage proper rolling stock steering. 	Investigate the extent and potential impact associated with the buckling observed on the Rail Link approximately 200m south of the IMEX Terminal, and make recommendations (with associated timeframes) to rectify the buckling (if required).	SIMTA (or responsible contractor) 30/09/21 (for the completion of the investigation and identification of recommendations, if any)	OPEN

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			On the day of the site inspection it was observed that there was buckling on the Rail Link approximately 200m south of the IMEX Terminal. It is unclear as to whether this adversely impacts rail cross sectional profile. The auditees advise that the infrastructure is still within the contractors defect liability period.			
5	CoC G10	Non-compliance	<p>CoC G10 requires that containers must be transferred between the site and Port Botany predominantly by rail, unless where unforeseen circumstances have occurred (e.g. an incident, breakdown, derailment or emergency maintenance on the rail line). The Secretary may at any time request the Applicant to demonstrate that the transport of containers between the site and Port Botany container terminals is by rail. This is to be demonstrated upon request by the Secretary for the prior 12 month period.</p> <p>There was no evidence available to demonstrate that containers are predominantly transferred by rail. The auditees advise that there a methodology in place to manage this requirement should the Secretary request this information, however this was not presented to the Auditor.</p>	Verify the proportion of containers transferred between the site and Port Botany by rail and road.	SIMTA 30/09/21	OPEN
6	CoC G11	Non-compliance	<p>CoC G11 requires that the Applicant shall prepare a six-monthly report to the Secretary with the results of container and vehicle monitoring for a period of 3 years, or as otherwise agreed with the Secretary, from the commencement of operation of the IMEX No 1 terminal. The Secretary shall consider the need for further reporting following a review of the results for year 3. The report shall include:</p> <ul style="list-style-type: none"> a) The number of twenty foot equivalent units dispatched and received during the period; b) A record of heavy vehicle entry by date and approximate time; and c) The number of light vehicles turning right into the terminal site from Moorebank Avenue and turning left from the terminal site onto Moorebank Avenue for a representative day. <p>It is understood that operations commenced on 17/05/20. The first 6-monthly report was finalised on 15/02/21 and submitted on 24/02/21 (more than 6 months after commencement).</p>	The first 6-monthly report was submitted after the due date.	NA	CLOSED
7	CoC G13	Non-compliance	<p>CoC G13 requires that the Applicant must carry out any activity, or operate any plant, in or on the premises by such practicable means as may be necessary to prevent or minimise air pollution.</p> <p>The January, February and March 2021 Monthly Air Quality Monitoring Reports identify exceedances of the PM₁₀ criteria that should be investigated. There was no evidence of any such investigations having been carried out.</p> <p>The Auditor also observes that the Six Monthly Operational Air Quality Compliance Report identified 7 x instances of exceedances of the PM_{2.5} 24 hr avg criteria and 20 x instances of exceedances of the PM₁₀ 24 hr avg criteria. Most of these were attributed by the Project to MPW works (material import activities, including operation of mobile plant and heavy vehicles and the import and handling of tunnel spoil). Correlation to MPE could not be confirmed.</p>	Investigate historical exceedances of the PM ₁₀ criteria and take action as necessary.	SIMTA 30/09/21	OPEN
8	CoC G15	Non-compliance	<p>CoC G15 requires that within 12 months of the commencement of operation of the Project, or as otherwise agreed by the Secretary, the Applicant shall undertake operational noise monitoring to compare actual noise performance of the project against noise performance predicted in the review of noise mitigation measures predicted in documents specified under condition A1 of the approval, and prepare an Operational Noise Report to document this monitoring. The Applicant shall (by way of CoC G15(h)) provide the Secretary and the EPA with a copy of the Operational Noise Report within 60 days of completing the operational noise monitoring, or as otherwise agreed by the Secretary.</p> <p>According to the dates of monitoring specified within the Draft Annual Noise Review, the Report has not been submitted to the identified stakeholders within 60 days of completion of the monitoring (as required by CoC G15(h)).</p>	Submit the Annual Noise Review Report to the Department and the EPA.	SIMTA Upon finalization of the Annual Noise Review Report.	OPEN

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
MPE Stage 2 – SSD 7628						
9	CoC A12	Non-compliance	<p>CoC A12 requires that the warehousing and distribution facilities must only be used for activities associated with freight using the MPE Stage 1 rail intermodal terminal.</p> <p>The Auditor requested that the auditee provide evidence to demonstrate that the warehouse and distribution facilities are confined to activities associated with freight from the MPE Stage 1 intermodal facility, given that there is significant opportunity for tenants to move freight from and to the road network without the use of MPE Stage 1. The auditee responded by stating without any supporting evidence that: <i>The intermodal issues daily the amount of TEUs to be issued to Tenants</i> and that there a methodology in place to manage this requirement should the Secretary request this information. Information to support this position was not presented to the Auditor.</p>	Verify that warehousing and distribution facilities are only being used for activities associated with freight using the MPE Stage 1 rail intermodal terminal ensure tenants comply with the requirement.	SIMTA 30/09/21	OPEN
10	CoC B13	Non-compliance	<p>CoC B13 requires that the Applicant is to undertake road upgrades, in accordance with the specified timing requirements as set out in Table 1 of SSD 7628. This includes a requirement that 100% design for the road upgrades be approved by Transport for NSW prior to the issue of the Occupation Certificates.</p> <p>100% design approval for each road upgrade has not been obtained prior to the issue of the Occupation Certificates.</p> <p>The Auditor requested evidence of 100% design approval of each road upgrade, prior to issue of the Occupation Certificates. The auditee provided the following response: <i>Detailed design and consultation with [Transport for NSW] TfNSW for the required upgrades is in progress and approved for the Moorebank Avenue upgrade works.</i></p> <p><i>The MPE Stage 2 Modification 1 application (SSD7628_MOD1), sought to alter the timing requirements for 100% design approval and delivery for the upgrades to align with the timing of the actual impact more closely to the local network they are required to mitigate, was lodged in January 2019.</i></p> <p><i>This is not considered to be a non-compliance against the requirements of this condition as the Applicant has undertaken all reasonable measures to enable compliance. By the nature of this condition the ability to achieve compliance is dependent on a third-party regulatory body, TfNSW (incorporating RMS) and the Applicant does not accept responsibility for TfNSW's inability to finalise its review of the MPE Stage 2 Modification 1 application despite the application being lodged in January 2019 in consultation with TfNSW and RMS, and draft conditions of approval being issued by DPIE.</i></p> <p><i>The approval of this Modification is still ongoing.</i></p> <p>The Auditor considers this to be a non-compliance until such time as Modification 1 is approved, or design is approved.</p>	Obtain approval of Modification 1, or 100% design of the road upgrades.	SIMTA Prior to the road upgrade works commencing	OPEN
11	CoC B28	Non-compliance	<p>CoC B28 requires that the Applicant is to prepare a Biannual Trip Origin and Destination Report (BTODR) each six months following commencement of any operation (in a format agreed with TfNSW and RMS). The report is to be submitted within one month of its preparation throughout operation of the project, starting six months from the commencement of operation, unless otherwise agreed by the Secretary, TfNSW and RMS.</p> <p>It is understood that operations commenced on 17/05/20. The first BTODR was finalised on 15/02/21 and submitted on 24/02/21 (more than 6 months after the commencement of operations).</p>	The BTODR was submitted after the due date.	NA	CLOSED
12	CoC B29	Observation	CoC B29 requires that, prior to the issue of any Occupation Certificate, the Applicant must prepare a Workplace Travel Plan to the satisfaction of the Secretary.	Continue with ongoing consultation with Transport for NSW on the	SIMTA 30/06/22	OPEN

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			The Workplace Travel Plan was prepared and approved by the Department. In the Department's 28/04/20 approval letter they recommend that SIMTA continue to liaise with Transport for NSW to facilitate the successful implementation of the Workplace Travel Plan across the precinct. It is unclear how this is being fulfilled. Refer also the finding in relation to CoC B30 below.	implementation of the Workplace Travel Plan.		
13	CoC B30	Observation	<p>CoC B30 requires that the Applicant must ensure that the Workplace Travel Plan is implemented for the life of the development.</p> <p>Whilst signage, access and end of trip facilities have been constructed / implemented, there are a number of initiatives from within the Workplace travel Plan that rely on tenants and Transport for NSW carrying out certain actions. These include (but are not limited to) completion of feasibility studies and annual reviews on public transport and shuttle bus demand etc, communications on sustainable transport options, implementation and review of Transport Action Guides, walking and cycling buddy systems. The initiatives that relate to tenant activities are not addressed or only barely addressed in the approved tenant Warehouse OEMPs. Initiatives relying on Transport for NSW are subject to ongoing consultation.</p>	<p>Direct tenants to implement actions from the Workplace travel Plan that relate to their workforces.</p> <p>Continue with ongoing consultation with Transport for NSW on the implementation of the Workplace Travel Plan.</p>	SIMTA 30/06/22	OPEN
14	CoC B47	Non-compliance	<p>CoC B47 requires that written signoff from the design engineer(s) responsible for the construction drawings is to be provided to the Secretary certifying that the system has been constructed in accordance with the construction drawings or, where modified, this has not adversely affected the performance of the system.</p> <p>The Auditor requested evidence be provided to demonstrate that systems had been constructed as designed. This evidence was not provided by the auditee, nor was evidence of this information having been provided to the Department.</p> <p>In response to this finding, the auditee noted that this requirement was assessed within the audit completed in accordance with CoC B51, however the Auditor observes that the CoC B51 audit scope does not include verification that the stormwater system was constructed as per the design. It does however state that the system appears to be functioning as intended. Refer Section 3.8.5 and CoC B51 within Appendix B.</p>	Obtain written sign off from the design engineers and submit this to the Department.	SIMTA 30/09/21	OPEN
15	CoC B54	Non-compliance	<p>CoC B54 requires that best practice reactive and proactive management measures must be implemented to minimise dust generated during all works authorised by this consent.</p> <p>Note that this finding relates to the same issues as identified against SSD 6766 CoC G13.</p> <p>The January, February and March 2021 Monthly Air Quality Monitoring Reports identify exceedances of the PM₁₀ criteria that should be investigated. There was no evidence of any such investigations having been carried out.</p> <p>The Auditor also observes that the Six Monthly Operational Air Quality Compliance Report identified 7 x instances of exceedances of the PM_{2.5} 24 hr avg criteria and 20 x instances of exceedances of the PM₁₀ 24 hr avg criteria. Most of these were attributed by the Project to MPW works (material import activities, including operation of mobile plant and heavy vehicles and the import and handling of tunnel spoil). Correlation to MPE could not be confirmed.</p>	Investigate historical exceedances of the PM ₁₀ criteria and take action as necessary.	SIMTA 30/09/21	OPEN
16	CoC B87	Non-compliance	<p>CoC B87 requires that the Applicant must provide the Secretary and the EPA with a copy of the Operational Noise Report within 60 days of completing the operational noise monitoring referred to CoC B86(a), or as otherwise agreed by the Secretary.</p> <p>Note that this finding relates to the same issues as identified against SSD 6766 CoC G15.</p>	Submit the Annual Noise Review Report to the Department and the EPA.	SIMTA Upon finalization of the Annual Noise Review Report.	OPEN

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			According to the dates of monitoring specified within the Draft Annual Noise Review, the Report has not been submitted to the identified stakeholders within 60 days of completion of the monitoring.			
17	CoC B130	Non-compliance	<p>CoC B130 requires that prior to an occupation certificate being issued, the Applicant must submit to the Secretary a Site Audit Statement, prepared in accordance with the NSW Contaminated Land Management – Guidelines for the NSW Site Auditor Scheme (3rd edition, 2017), which demonstrates that the site is suitable for its intended land use (i.e. Section ‘A’). The Site Auditor must consider the most up to date PFAS guidance.</p> <p>A request was made for the auditee to provide evidence of the Site Audit Statement/s (SASs) being submitted to the Department. In response the auditee presented:</p> <ul style="list-style-type: none"> the agreement from the Department to stage the submission of SASs for SSD 7628 along with the submission of the first SAS. However the SAS was not presented and the Auditor cannot ascertain the land to which it relates. The Department post approval lodgement records for the SAS for Lot 22. Again the SAS was not presented and therefore the Auditor cannot confirm the land to which this relates. Copies of each SAS along with a statement that each Occupation Certificate refers to the SAS. <p>The Auditor is unable to confirm if SASs have been submitted to the Department for each / all warehouses that have had Occupation Certificates issued.</p>	Demonstrate that the SASs have been submitted to the Department for each/all warehouses that have had Occupation Certificates issued.	SIMTA 30/09/21	OPEN
18	CoC C9	Observation	<p>CoC C9 requires that within three months of:</p> <ol style="list-style-type: none"> the submission of an annual review under condition C10; the submission of an incident or non-compliance notification under condition C13; the submission of an audit under condition C18; the approval of any modification of the conditions of this consent; or the issue of a direction of the Secretary under condition A2; <p>the strategies, plans and programs required under this consent must be reviewed, and if necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, must be revised, to the satisfaction of the Secretary. Where revisions are required, the revised document must be submitted to the Secretary for approval within six weeks of the review.</p> <p>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve the environmental performance of the development.</p> <p>There is no evidence of a review of the strategies, plans and programs having been formally initiated within 3 months of the last 2 x Annual Reviews or the approval of Modifications 3 and 4. However the Auditor considers that the strategies, plans and programs have been subject to regular review (and updates) pursuant to the approved Program for Operational Phase Documentation and capture measures to manage the environmental performance of the Project, and that the Department has been informed of these updates through the submission of the documents for approval.</p>	Obtain clarification from the Department on the application of this condition in consideration of the approved Program for Operational Phase Documentation.	SIMTA 30/09/21	OPEN

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 following MPE wide management plans:

- POPD
- OEMP
- SIOMP
- OAQMP
- ONVMP
- HIP
- OFFMP
- OWRMP
- OCCS
- OERP
- BEEMP
- OTAMP, and
- WTP.

It is the Auditors view that the plans are adequate for the works being undertaken, noting however that the implementation of the Workplace Travel Plan relies on actions to be undertaken by tenants and, more importantly, Transport for NSW. SIMTA's ability to manage / encourage Transport for NSW to undertake actions for which it is responsible is very limited.

The Auditor also reviewed the following Warehouse Operation Environmental Management Plans:

- *Target Australia Pty Ltd Warehouse Occupation Environmental Management Plan, SIMTA, 19 August 2019*
- *Warehouse 3A Warehouse Operational Management Plan - Caesarstone Environmental Management Plan, 19 May 2020*
- *Warehouse Operation Environmental Management Plan for Warehouse 4B, 15 October 2020*
- *Warehouse Operation Environmental Management Plan (WOEMP) for Warehouse 5, 15 December 2020*

- *Warehouse 3B Warehouse Operational Environmental Management Plan – Federal Hospitality Equipment Environmental Management Plan, 08 March 2021*
- *Warehouse Operational Environmental Management Plan (Warehouse 4A, PCA Express), 5 May 2021.*

The plans have been approved by the Department and are generally adequate. However, the Auditor notes that tenant knowledge and capabilities are not structured around environmental management as their businesses are based on logistics within a relatively low risk, confined and generally uniform environment. This results in a gap between the commitments and requirements set out within the Warehouse Operation Environmental Management Plans and the practices being implemented on site. Whilst the Auditor did not observe any negative impact arising from this perceived gap during the Independent Audit, signs of its presence were observed (a lack of response from some tenants to requests for information for example). The Auditor considers there to be value in simplifying the Warehouse Operation Environmental Management Plans to focus solely on matters of each tenant's operations with the potential to cause an adverse risk or impact on the surrounding environment and community.

3.4 Summary of notices from agencies

To the Auditor's knowledge no formal notices were issued by the Department or the EPA during the audit period, other than the letters of approval (conditional or in full) for the operational management plans, strategies, programs and reports. Based on the evidence sighted, SIMTA appears to have addressed the requirements within these letters of approval, noting however the non-compliances and observations identified in Section 3.2 above.

3.5 Other matters considered relevant by the Auditor or DPIE

3.5.1 Compliance with design and the Building Codes of Australia

We note that with respect to CoCs relating to design, compliance with the Building Codes of Australia (BCA) or satisfaction of the Certifying Authority, the Independent Audit relied on confirmation from the relevant subcontractor and / or the Certifying Authority that this is the case, using the following lines of evidence:

- the existence of a statement of compliance with the relevant requirement from the responsible subcontractor, or
- the existence of a statement of compliance or an Occupation Certificate from the Certifying Authority.

The Independent Audit did not extend to an assessment of the works against the design or BCA requirements themselves, nor did it examine the rigour the Certifying Authority had applied to verify that the works met the relevant design or BCA requirements.

3.5.2 Other matters

Other than the matters identified elsewhere in Section 3, the Auditor has nothing further to add. The Department did not raise any matters during consultation on this Independent Audit.

3.6 Complaints

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

A total of 31 complaints were received for the entire MLP development since 17 May 2020. The complaints related predominantly to noise, dust, road condition, traffic light signalling and congestion on Moorebank Avenue, property damage and lighting. SIMTA consider each to be closed.

<https://simta.com.au/wordpress/wp-content/uploads/2021/06/SIMTA-Online-Complaints-document-to-May-2021.pdf>

3.7 Incidents

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

3.8 Actual versus predicted outcomes

3.8.1 General

Predicted outcomes associated with the operations of the IMEX Terminal and Rail Link are described in sections 7 – 19 of the *SIMTA Intermodal Terminal Facility – Stage 1 – Environmental Impact Statement, Hyder, May 2014* (SSD 6766 EIS) and section 7 of the *SIMTA Intermodal Terminal Facility – Stage 1 – Response to Submissions, Hyder, September 2015* (SSD 6766 RtS).

Predicted outcomes associated with the operations of the warehouses, freight village, road upgrades and ancillary works are described in sections 7 – 20 of the *Moorebank Precinct East - Stage 2 Proposal Environmental Impact Statement, Arcadis, December 2016* (SSD 7628 EIS) and sections 7.1 – 7.13 of the *Moorebank Precinct East - Stage 2 Proposal Response to Submissions – SSD 16_7628, Arcadis, July 2017, and associated materials* (SSD 7628 RtS).

Together, and for the purposes of this section, the aforementioned documents are referred to here as the EIS’.

The EIS’ include a voluminous number of studies and predictions that relied on observation, measurement and modelling of the existing environments and potential outcomes arising from the MPE (including mitigation measures). Full assessment of the accuracy of these predictions would also require a significant number of studies involving measurement and modelling using actual data points as inputs. Other than the operational requirements specified in the CoCs and identified mitigation measures, to the Auditor’s knowledge there are no requirements to undertake such studies, and doing so does not form part of this Independent Audit.

The operation of the MPE is phased, with operations of the IMEX Terminal, Rail Link and Area 1 having commenced in May 2020, and Area 2 commencing operations in the fourth quarter of 2020. The operations of Areas 3 – 6 have yet to commence. Additionally, the Project has prepared a Program For Operational Phase Documentation (POPD) which set out the approach for aggregating and phasing of operational documents across SSD 6766 and SSD 7628, for the MPE as a whole. Whilst both the EIS’ and RtS’ recognise the general staging of operations, this process

of aggregation and phasing was not considered in detail. As such the predicted outcomes are not readily transferrable.

As stated in Section 3.5.1, with regards to determining whether design is compliant, design elements are able to be operated as intended or whether compliance with the BCA have been achieved, the Auditor has relied upon confirmation from the relevant subcontractor and / or the Certifying Authority that this is the case. The relevant subcontractor and / or the Certifying Authority have stated that the MPE was constructed as intended by the Contract. Therefore, in theory, each of the assets, facilities, systems and equipment facilities and equipment is capable of functioning as intended.

The following observations are considered relevant for the operations of MPE.

3.8.2 Traffic and transport

The EIS made a number of predictions around traffic and transport as a result of the project being built. This includes a decrease in freight movement along the M5 (SSD 6766 EIS Section 7.3.2) but increases in traffic around Moorebank Avenue. The Auditor could not confirm if there were any reductions in freight movement on the M5. Complaints and the Biannual Trip Origin and Destination Report (BTODR) indicate that local congestion on Moorebank Avenue appears to be increasing. The Auditor notes that this is not attributable solely to the MPE operations, as substantial heavy movements are occurring from the construction of MPW and other commercial operations, and light vehicle movements are increasing though intensification of land use throughout the local area. As indicated in Section 3.2, implementation of the Workplace Travel Plan is not occurring in full, primarily due to public transport constraints. The lack of public transport options and initiatives is acknowledged in each of the EIS'.

3.8.3 Air quality

The EIS' made a number of predictions on local and regional air quality. Based on the data presented in the Monthly Air Quality Monitoring Reports and the Six Monthly Operational Air Quality Compliance Report, emissions are generally in line with those predicted, noting however that exceedances have been identified during the audit period for PM₁₀ and PM_{2.5} (refer Section 3.2).

3.8.4 Noise and vibration

The EIS' made a number of predictions on noise and vibration impacts from MPE. The Draft Annual Noise Review summarises all monitoring undertaken for the year including INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container Noise Barrier measurements, warehouse noise monitoring, Rail Link noise monitoring at residential receivers, continuous noise monitoring in residential areas, continuous rail link noise monitoring, Year 1 rail operations noise monitoring report and Rail Link angle of attack (AoA) monitoring. It concludes that no exceedances of the planning approval noise limits were measured during Year 1 operations. On this basis the Auditor considers operational noise and vibration impacts to be consistent with the EIS.

3.8.5 Hydrology and flooding

The EIS' included predictions on outcomes associated with hydrology and flooding. In essence, there would be an overall increase in impervious surfaces and, therefore, potential off site flows. The assessments concluded that through the implementation of the treatments proposed the Proposal would achieve the water quality performance targets adopted for the Proposal, both in terms of percentage reduction for key water quality parameters and providing a beneficial effect. Modelling demonstrated that with the implementation of mitigation on the MPE, including rain gardens and gross pollutant traps, the Project would result in a neutral or positive outcome for the water quality being discharged to Anzac Creek and the Georges River. The Project site was predicted not to be adversely impacted by flooding.

The Project was required under the terms of the two consents to prepare an Urban Design and Landscape Plan (inclusive of plans for Water Sensitive Urban Design), Interim and Ultimate Stormwater Management Plan (detailing the transition between temporary and final stormwater arrangements) and a Stormwater Infrastructure Operation and Maintenance Plan. These documents set out how the Project has and continues to manage hydrology across the site. In combination these documents indicate that the water quality impacts are acceptable, and each document was approved by the Department.

An audit was conducted on the stormwater system in accordance with CoC B51. That audit found that it is likely that the constructed elements of the system are working as intended, the system is being maintained but condition varies across the various assets within the system, and that there were opportunities for improvement around planning, reporting and record keeping, maintenance and some designs.

4. CONCLUSIONS

This Audit Report presents the findings from the first Independent Audit of the operations of the MPE, covering the period from 17 May 2020 to 16 May 2021.

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:

- There were 347 conditions assessed (117 from SSD 6766, 213 from SSD 7628 and 17 from EPBC 2011/6229).
- Four non-compliances were identified against the SSD 6766 CoCs. These relate to mode share for container transport, submission of the container and vehicle movement monitoring report, responses to air quality exceedances and the submission of the Annual Noise Review Report.
- Four observations were identified in relation to the SSD 6766 CoCs. These relate to bunding at the point of refuelling of the Reach Stacker cranes, the date of commencement of operations stated within the Rail Link Noise Monitoring Report and the condition of the Rail Link approximately 200m south of the IMEX Terminal.
- Seven non-compliances were identified against the SSD 7628 CoCs. These relate to the use of warehousing, approval of design of road upgrades, submission of the Biannual Trip Origin Report, responses to air quality exceedances, submission of the Annual Noise Review Report, submitting Site Audit Statements to the Department and sign off of the as-built stormwater systems.
- Three observations were identified in relation to the SSD 7628 CoCs. These relate to ongoing consultation on, and implementation of, the Workplace Travel Plan, and the review of strategies plans and programs.

The Auditor would like to thank the auditees representing SIMTA for their high level of organisation, cooperation and assistance during the Independent Audit.

5. LIMITATIONS

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APPENDIX A – SSD 6766 CONDITIONS OF CONSENT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
PART A ADMINISTRATIVE CONDITIONS				
Development in accordance with plans and documents				
A1	The Applicant shall carry out the development generally in accordance with the: <ul style="list-style-type: none"> a) State Significant Development Application SSD 6766; b) <i>SIMTA Intermodal Terminal Facility – Stage 1 – Environmental Impact Statement</i> (Hyder Consulting Pty Ltd, May 2014); c) <i>SIMTA Intermodal Terminal Facility – Stage 1 – Response to Submissions</i> (Hyder Consulting Pty Ltd, September 2015); and d) The conditions of this consent. 	<p>SIMTA Intermodal Terminal Facility – Stage 1 – Environmental Impact Statement, Hyder, May 2014</p> <p>SIMTA Intermodal Terminal Facility – Stage 1 – Response to Submissions, Hyder, September 2015</p> <p>Evidence referred to elsewhere in this Audit Table</p>	<p>The project is being operated in general accordance with the EIS and RtS.</p> <p>Whilst some non-compliances were identified, these are assigned as non-compliances against the condition to which they relate and on this basis the Auditor does not consider it appropriate to assign a non-compliance with this condition.</p>	C
A2	In the event of an inconsistency between: <ul style="list-style-type: none"> a) the conditions of this approval and any document listed from condition A1(a) to A1(c) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and b) any document listed from condition A1(a) to A1(c) inclusive, and any other document listed from condition A1(a) to A1(c) inclusive, the most recent document shall prevail to the extent of the inconsistency. 	Noted	This audit assess compliance with the current conditions of consent and the most current version of the documents listed in CoC A1.	C
A3	The Applicant shall comply with any reasonable requirement(s) of the Secretary arising from the Department's assessment of: <ul style="list-style-type: none"> a) any reports, plans or correspondence that are submitted in accordance with this consent; and b) the implementation of any actions or measures contained within these documents 	<p>Interview with auditees 10/05/21</p> <p>Letter, DPIE to Qube 09/09/19</p> <p>Letter DPIE to Qube, 19/11/19</p> <p>Letter DPIE to Qube, 18/03/20 (MPE S1 and S2 OEMP approval)</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p> <p>Letter DPIE to Qube, 28/04/20 (approval of staged OTAMP and WTP)</p>	DPIE letters of approval of each document indicate various actions needing to be addressed and having occurred. The evidence indicates that in each instance the requirements of the Department have been addressed.	C
A4	This approval will lapse ten years from the date of this approval unless works the subject of this approval are physically commenced, on or before that lapse date.	<p>This consent granted 12/12/16</p> <p>Site inspection 10/05/21</p> <p>Interview with auditees 10/05/21</p>	<p>Consent was granted in 2016. It is understood that the Project commenced operations on 17/05/20.</p> <p>The auditor notes that there is significant complexity around the commencement of operations due to the staging and combining of strategies plans and programs both within and between SSD 6766 and SSD 7628, along with a period of commissioning of the RALP and IMEX infrastructure.</p>	C
A5	In the event of a dispute between the Applicant and a public authority, in relation to this approval, either party may refer the matter to the Secretary for resolution. The Secretary's resolution of the matter shall be binding on the parties.	Interview with auditees 10/05/21	The auditees have not identified any formal disputes.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Legal notices				
A6	Any advice or notice to the consent authority shall be served on the Secretary	Interview with auditees, 10/05/21	The auditee is not aware of any legal notices.	NT
Statutory requirements				
A7	The applicant shall ensure that all licences, permits, consents and approvals are obtained and maintained as required throughout the life of the development. No condition of this consent removes the obligation of the Applicant to obtain, renew or comply with such licences, permits or approvals. The Applicant shall ensure that a copy of this consent and all relevant environmental licences, permits, consents and approvals are available on the Project Website and Subject Site at all times during the development	Evidence referred to elsewhere in this Audit Table, and the Audit Table of SSD 7628	The evidence indicates that relevant approvals have been obtained.	C
PART B PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE				
Disabled access				
B1	Access for people with disabilities shall be provided for offices and amenities for the development in accordance with the <i>Disability Discrimination Act 1992</i> (Commonwealth). Prior to the issue of a Construction Certificate, verification of compliance with this condition from an appropriately qualified person shall be provided to the Certifying Authority	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Compliance with Building Code of Australia (BCA)				
B2	Details shall be provided to the satisfaction of the Certifying Authority, with the application for a Construction Certificate, which demonstrate that the proposal complies with the prescribed conditions of approval under Clause 98 of the Environmental Planning and Assessment Regulation in relation to the requirements of the Building Code of Australia (BCA).	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Development contributions				
B3	Prior to the issue of a Construction Certificate, the Applicant shall pay a monetary levy of \$643,027.27 to Liverpool City Council for transport, drainage, community facilities, administration and professional and legal fees pursuant to section 94B(2) of the <i>Environmental Planning and Assessment Act 1979</i> .	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Site layout and access				
B4	The design of the main access gate shall preclude heavy road freight vehicles from using Moorebank Avenue south (no left turn from the terminal site onto Moorebank Avenue, and no right turn from Moorebank Avenue into the terminal site). Detailed plans are to be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B5	The Applicant shall ensure that: a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the Development are constructed and maintained in accordance with the latest versions of AS 2890.1 – 2004, AS 2890.6-2009 and AS 2890.2 – 2002 for heavy vehicle usage;	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> b) the swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, is in accordance with AUSTRROADS; c) The layout of the site shall be designed to ensure heavy vehicles associated with the operation of the intermodal terminal can be accommodated on site in the event of an incident blocking access to the M5 Motorway/ Moorebank Avenue to avoid queuing on public roads. d) The layout of the site shall be designed to minimise heavy vehicles reversing are not required to select reverse gear. e) heavy vehicles and bins associated with the SSD do not park or stand on local roads or footpaths in the vicinity of the site; f) all vehicles are wholly contained on site before being required to stop; g) all loading and unloading of materials is carried out on site; and h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times. <p>Detailed plans demonstrating compliance with a)-h) shall be prepared in consultation with RMS and to the satisfaction of the Certifying Authority.</p>			
B6	The Applicant shall include provision for emergency access to the site. Plans demonstrating compliance shall be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Lighting plan				
B7	<p>A detailed plan prepared by a suitably qualified lighting engineer must be submitted to the Certifying Authority for approval prior the issue of a Construction Certificate, and include, but not be limited to:</p> <ul style="list-style-type: none"> a) Adequate lighting of pedestrian thoroughfares; b) All lighting in public domain areas is to comply with the relevant Council requirements and Australian Standard AS1158 for Street Lighting Applications; c) The lighting plan should include lighting designs, supported by luminance calculations and luminance plots, and is to be of a high standard and Energy Australia compatible; and d) All outdoor lighting (excluding street lighting) shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Public transport				
B8	The SSD shall be designed to ensure a bus stop on Moorebank Avenue (including direct pedestrian access from the terminal site to the bus stop), and associated turnaround facility suitable for a 14.5 metre long non-rear steer bus is not precluded.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
PART C PRIOR TO CONSTRUCTION				
Commencement of works				
C1	Demolition, excavation, clearing (other than minor clearing), construction, subdivision or associated activities must not commence until a Construction Certificate has been issued for the project pursuant to the <i>Environmental Planning and Assessment Act 1979</i> .	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Demolition				
C2	The Applicant shall ensure that all demolition work is carried out in accordance with <i>Australian Standard AS 2601:2001: The Demolition of Structures</i> , or its latest version.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			and SSD 7628 are subject to separate audit programs and do not form part of this audit.	
Urban design and landscaping				
C3	<p>The Applicant shall prepare and implement an Urban Design and Landscape Plan for the project. The Plan shall present an integrated urban design for the project. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) final design details of the proposed external materials and finishes; b) location of existing vegetation and proposed landscaping (including use of indigenous and endemic species where possible) and design features; c) strategies for progressive landscaping of other environmental controls such as erosion and sedimentation controls, drainage and noise mitigation; and d) location and design treatments for any associated footpaths and cyclist elements, and other features such as seating, lighting (in accordance with AS 4282-1997 Control of the Obtrusive Effect of Outdoor Lighting), fencing, and signs; <p>The Plan shall be submitted for the approval of the Secretary prior to the commencement of permanent built works and/ or landscaping, unless otherwise agreed by the Secretary.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Compliance monitoring and tracking				
C4	<p>The Applicant shall prepare and implement a Compliance Tracking Program, to track compliance with the requirements of this approval. The Program shall be submitted to the Secretary for approval prior to the commencement of construction and operate for the duration of construction.</p> <p>The Program shall include, but not be limited to:</p> <ul style="list-style-type: none"> a) provision for the notification to the Secretary prior to the commencement of construction; b) provision for periodic review of the compliance status of the SSD against the requirements of this approval; c) provision for periodic reporting of compliance status to the Secretary, including but not limited to: <ul style="list-style-type: none"> i. a Pre-Construction Compliance Report prior to the commencement of construction, ii. Six-monthly, or other timing as agreed by the Secretary, Construction Compliance Reports, for the duration of construction, and iii. a Completion Compliance Report within one month of completion of the construction; d) a program for independent environmental auditing in accordance with AS/NZS ISO 19011:2014 – Guidelines for Auditing Management Systems; e) mechanisms for recording environmental incidents during construction and actions taken in response to those incidents; f) provision for reporting environmental incidents to the Secretary during construction, in accordance with conditions C6 and C7; g) procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management; and h) provision for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Contamination				
C5	<p>Prior to the commencement of construction of the rail link within the Glenfield Waste Facility licenced premises, the Applicant shall prepare an assessment report of the proposed impacts of construction on the Glenfield Waste Facility licenced premises.</p> <p>The assessment must address:</p> <ul style="list-style-type: none"> a) Targeted intrusive investigations to determine contamination pathways and to develop mitigation, management and/or remediation options based on those investigations; b) details of the quantity of landfilled waste to be removed, the location from where it will be removed, the methodology to be utilised and the estimated timeframe for the removal and reburial; c) proposed measures to mitigate odour impacts on sensitive receivers, including an undertaking to apply daily cover to any exposed waste in accordance with benchmark technique 33 of the document <i>Environmental Guidelines: Solid Waste Landfills</i>, NSW EPA 1996; 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>d) details of impacts on pollution control and monitoring systems including existing groundwater and landfill gas bores and their subsequent repair/ replacement;</p> <p>e) the methodology proposed to ensure that the landfill barrier system disturbed in the removal process is replaced/ repaired to ensure its ongoing performance. The Applicant shall detail matters such as sub grade preparation and specifications, liner installation/ reinstallation procedures and construction quality assurance (CQA) procedures;</p> <p>f) a commitment to providing the EPA with a construction quality assurance report within 60 days of the completion of the works referred to in (d) above; and</p> <p>g) an overview of any access and/or materials/ equipment storage arrangements with Glenfield Waste Facility in relation to the construction of the project, and operation and maintenance of the rail link.</p> <p>h) details of any other expected or potential impacts to the licensed area and options for management and mitigation of those impacts (i.e. leachate management and surface water runoff, potential impacts on the Georges River during works, dust etc.); and</p> <p>i) details of and proposed mitigation measures for the long term management of the rail link (e.g. subsidence or gas issues).</p> <p>The Applicant must provide the assessment report to the EPA for review and approval at least 6 weeks prior to the commencement of construction. A copy must also be submitted to the Secretary for information. No works are permitted to commence within the Glenfield Waste Facility licenced premises without the EPA's written approval, unless otherwise agreed by the Secretary.</p>			
C6	<p>The Applicant shall prepare construction design plans for the section of the rail link within the Glenfield Waste Facility licenced premises in consultation with the EPA, and submit for the approval of the Certifying Authority prior to the commencement of construction, unless otherwise agreed by the Secretary. A copy must be provided to the Secretary for information.</p>	-	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	NT
C7	<p>The approved works (including any excavation required for remediation) must not occur below 5 metres AHD and lower the water table below 1m AHD on adjacent class 1, 2, 3, 4 lands in accordance with the Liverpool Local Environmental Plan 2008.</p>	-	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	NT
C8	<p>The subject site is to be remediated in accordance with:</p> <p>a) The approved Remedial Action Plan;</p> <p>b) <i>State Environmental Planning Policy No. 55 – Remediation of Land</i>; and</p> <p>c) The guidelines in force under the <i>Contaminated Land Management Act</i>.</p> <p>Amendments to the approved Remedial Action Plan required as a result of further site investigations must be approved by the site auditor, in consultation with the EPA.</p> <p>Within 3 months after the completion of the remediation works, a notice of completion, including a validation and/or monitoring report is to be provided to the Secretary. This notice must be consistent with <i>State Environmental Planning Policy No. 55 – Remediation of Land</i>.</p> <p>The validation and/or monitoring report is to be independently audited and a Site Audit Statement Issued. The audit is to be carried out by an independent auditor accredited by the EPA. Any conditions recorded on the Site Audit Statement are to be complied with.</p>	-	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	NT
Soil, water quality and hydrology				
C9	<p>The design of any new stormwater outlets to the Georges River or Anzac Creek must include scour protection works.</p>	-	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	NT
Fish migration, passage and health				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C10	Prior to the commencement of construction the Applicant shall consider the staging of in-water works for the bridge construction across the Georges River to avoid the impact on the migration season of Australian Bass.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
C11	Prior to the commencement of the bridge construction works across the Georges River, the Applicant must consider if possible, restricting the use of the temporary platform to only one, and be designed to maintain fish passage. The Applicant must consult with DPI Fisheries with regard to the platform and its design prior to constructing the platform in the Georges River.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
C12	The Applicant is to ensure that a daily visual inspection for dead or distressed fish in the Georges River is undertaken. Fish distress is indicated by fish gasping at the water surface, or crowding at the creek's banks. Should dead or distressed fish be observed, all works are to cease and DPI Fisheries is to be contacted immediately. Works can proceed following approval by DPI Fisheries.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Heritage				
C13	Prior to the commencement of construction activities affecting the WWII store buildings, the Applicant shall complete all archival recordings. This work shall be undertaken by an experienced heritage consultant, in accordance with the guidelines issued by the Heritage Council of NSW. Within 6 months of completing this work, the Applicant shall submit a report containing archival recordings to the Secretary, Certifying Authority, the Heritage Council of NSW, Liverpool Council and the local Historical Society.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
C14	Prior to the commencement of construction activities affecting the WWII store buildings, the Applicant shall prepare a Heritage Interpretation Strategy, in consultation with the Heritage Division. The Strategy shall be submitted for the approval of the Secretary with a copy provided to the Certifying Authority.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
C15	Prior to the commencement of pre-construction and construction activities affecting Aboriginal site MA14, the Applicant shall: <ul style="list-style-type: none"> a) develop a detailed salvage strategy, prepared in consultation with OEH (Aboriginal heritage) and the Aboriginal stakeholders. The investigation program shall be prepared to the satisfaction of the Secretary; and b) undertake any further archaeological excavation works recommended by the results of the Aboriginal archaeological investigation program. c) Within twelve months of completing the above work, unless otherwise agreed by the Secretary, the Applicant shall submit a report containing the findings of the excavations, including artefact analysis and Aboriginal Site Impacts Recording Forms (ASIR), and the identification of final storage location for all Aboriginal objects recovered (testing and salvage), prepared in consultation with the Aboriginal stakeholders, the OEH (Aboriginal heritage) and to the satisfaction of the Secretary. d) Note: where archaeological testing has occurred as part of the Environmental Assessment and the results are included in the documents listed in condition A1 the sites tested must still form part of the final report prepared under C16(b). 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Utilities and services				
C16	Utilities, services and other infrastructure potentially affected by construction and operation shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. Consultation with the relevant owner and/or provider of services that are likely to be affected by the construction shall be undertaken to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required. The cost of any such arrangements shall be borne by the Applicant, or as otherwise agreed between the parties.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Pre-construction dilapidation report				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C17	<p>The Applicant shall engage a suitably qualified person to prepare a pre-construction dilapidation report prior to the commencement of construction. This report to ascertain the structural condition of:</p> <ul style="list-style-type: none"> a) local public roads likely to be used by the project's construction traffic identified in the Construction Traffic and Access Management Sub-plan required under condition E35(a). b) local public roads, cycle ways, footpaths and other utilities identified in the Construction Traffic and Access Management Sub-Plan required under condition E35(a). <p>The report shall be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS and the Secretary.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
C18	The Applicant shall undertake road pavement deflection testing of the construction truck routes at 20 metre intervals along all wheel paths where feasible and reasonable to the extent required by Condition E35 (a), prior to commencement of construction.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
C19	<p>The Applicant shall ensure that the construction and operation of the proposed development will not prevent the existing use of Moorebank Avenue as a public road to a standard commensurate to its current use prior to the development.</p> <p>Note: temporary closures or part closures and changes to the operation of Moorebank Avenue may occur for limited periods during construction as detailed in the Construction Traffic Management Plan</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Biodiversity				
C20	The Applicant shall ensure the width of the rail link corridor is no greater than 20 metres in the Riparian corridor of the Georges River and Anzac Creek.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
C21	The Georges River Bridge shall be designed to ensure fauna movement within the riparian corridor is maintained. The bridge shall be designed in consultation with DPI Water and approved by the Certifying Authority. A copy of the final design shall be submitted to the Secretary for information and made available on the Project Website.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
C22	<p>The Applicant shall prepare and implement a 'Threatened Dragonfly Species Survey Plan' to determine the presence or absence of threatened dragonfly species listed under the Fisheries Management Act 1994 on the Georges River, adjacent to the development site. The plan, including survey methodology, shall be prepared in consultation with DPI Fisheries prior to the commencement of construction.</p> <p>On implementing the plan, the survey results are to be forwarded onto DPI Fisheries. Should threatened dragonfly species be found at this site, DPI Fisheries should be contacted to agree on possible mitigation measures to avoid impacts in accordance with NSW DPI Policy and Guidelines for Fish Habitat Conservation and Management (2013).</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
C23	Prior to the commencement of clearing within the railway corridor between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant must prepare and implement a Hibbertia Species Survey Plan to determine the number of individual plants of each Hibbertia species present within the corridor and confirm that the required quantum of biodiversity offset credits needed to provide an offset for the surveyed number of individual plants of each Hibbertia species can be achieved. The survey plan, including the survey method, must be prepared in consultation with OEH to the satisfaction of the Secretary. Results of the survey must be included in the Biodiversity Offset Package required by C23A.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
C23A	Prior to the commencement of clearing within the railway corridor between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant shall develop and implement a Biodiversity Offset Package to the satisfaction of the Secretary. The Package shall detail how the ecological values lost as a result of the SSD will be offset. The package	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>shall be consistent with the NSW Biodiversity Offsets Policy for Major Projects (OEH 2014), unless otherwise agreed by the Secretary. The package shall include, but not be necessarily limited to:</p> <ul style="list-style-type: none"> a) the identification of the extent and types of habitat that would be lost or degraded as a result of the final design of the SSD; b) the objectives and biodiversity outcomes to be achieved; c) the final suite of the biodiversity offset measures selected and secured in consultation with OEH; d) the management and monitoring requirements for compensatory habitat works and other biodiversity offset measures proposed to ensure the outcomes of the package are achieved, including: e) the monitoring of the condition of species and ecological communities at offset (including translocation) locations; f) the method for the monitoring program(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites; g) provisions for the annual reporting of the monitoring results for a set period of time as determined in consultation with the OEH; and h) timing and responsibilities for the implementation of the provisions of the Package <p>The Approved Biodiversity Offset Package shall be published on the Project Website within 7 days of its approval.</p> <p>Where land offsets cannot solely achieve compensation for the loss of habitat, additional measures shall be provided to collectively deliver an improved or maintained biodiversity outcome for the region. Where monitoring referred to in (e) above indicates that biodiversity outcomes are not being achieved, remedial actions shall be undertaken to ensure that the objectives of the Biodiversity Offset Package are achieved to the satisfaction of the Secretary. Such remedial actions shall be documented under an addendum to the Biodiversity Offset Package and the addendum be submitted to the satisfaction of the Secretary, prior to the implementation of that addendum.</p> <p>Prior to the commencement of clearing within the railway corridor between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant shall develop and implement a Biodiversity Offset Package to the satisfaction of the Secretary. The Package shall detail how the ecological values lost as a result of the SSD will be offset. The Package shall be consistent with the NSW Biodiversity Offsets Policy for Major Projects (OEH 2014), unless otherwise agreed by the Secretary.</p> <p>The Package shall include, but not necessarily be limited to:</p> <p>If the applicant can demonstrate to the satisfaction of the Secretary that the proposed offset land for between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge has been secured, the Applicant shall within 12 months of the commencement of construction develop and implement the Biodiversity Offset Package to the satisfaction of the Secretary in accordance with items (a)-(h) above.</p> <p>Note: Where the Applicant has opted to develop a consolidated Biodiversity Offset Package covering both the Moorebank Intermodal Terminal (SSD 5066) and SIMTA sites, this must be submitted to the Secretary within 12 months of submitting the initial Biodiversity Offset Package in accordance with this condition</p>		and do not form part of this audit.	
C23B	<p>The Applicant shall:</p> <ul style="list-style-type: none"> a) remove the disused rail spur traversing the Southern Boot Land and remediate and rehabilitate the land containing the disused rail spur traversing the Southern Boot Land, which is identified in blue dotted outline on Attachment A to these conditions titled "Figure 1 – Wattle Grove Offset Area"; and b) once remediation of the disused rail spur is complete, apply within 2 months of completion of the remediation to amend the biobanking agreement to incorporate the land shaded yellow on Attachment A to these conditions titled "Figure 1 – Wattle Grove Offset Area"; and Prior to the commencement of clearing between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant shall develop and implement a Biodiversity Offset Package to the satisfaction of the Secretary. The Package shall detail how the ecological values lost as a result of the SSD will be offset. The Package shall be consistent with the NSW Biodiversity Offsets Policy for Major Projects (OEH 2014), unless otherwise agreed by the Secretary. c) apply within 2 months of the issue of the biobanking agreement to amend the biobanking agreement to incorporate the land shaded red on Attachment A to these conditions titled "Figure 1 – Wattle Grove Offset Area". <p>Nothing in this condition requires the Applicant to amend the biobanking agreement application lodged with OEH in February 2017.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Transport and access				
C24	Prior to the commencement of construction, the Applicant shall undertake a Road Safety Audit in consultation with TfNSW and the relevant Council for the proposed construction vehicle access points on public roads. The audit shall be undertaken by an independent TfNSW accredited road safety auditor in accordance with the relevant Austroads guidelines to identify any safety issues for the proposed construction vehicle access. The audit shall recommend corrective actions for any identified safety issues and propose appropriate traffic management measures (i.e. temporary traffic signals).	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
C25	The design of new traffic signals (including modification of existing traffic signals) along Moorebank Avenue shall be designed to meet RMS requirements, Austroads Guide to Road Design and relevant RMS supplements (available on www.rms.nsw.gov.au). Plans shall be and prepared in consultation with RMS, be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
C26	The design of new traffic signals (including modification of existing traffic signals) along Moorebank Avenue shall be designed to meet RMS requirements, Austroads Guide to Road Design and relevant RMS supplements (available on www.rms.nsw.gov.au). Plans shall be and prepared in consultation with RMS, be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Rail link noise barrier design contingency				
C27	The Applicant shall design the rail link to accommodate the installation of trackside noise barriers for the full length of the rail link in the event they may be required at some future time to comply with the project specific noise levels.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
PART D COMMUNITY INFORMATION AND REPORTING				
Community communication strategy				
D1	<p>Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall prepare and implement a Community Communication Strategy to the satisfaction of the Secretary. The Strategy shall provide mechanisms to facilitate communication between the Applicant (and its contractor(s)), the Environmental Representative (see condition E4), the relevant Council and community stakeholders (particularly adjoining landowners) on the design and environmental management of construction. The Strategy shall include, but not be limited to:</p> <ul style="list-style-type: none"> a) identification of stakeholders to be consulted as part of the Strategy, including affected and adjoining landowners, key community and business groups, and community and social service organisations; b) procedures and mechanisms for the regular distribution of accessible information to community stakeholders on construction progress and matters associated with environmental management, including provision of information in appropriate community languages; c) procedures and mechanisms through which the community stakeholders can discuss or provide feedback to the Applicant and/or Environmental Representative in relation to the environmental management and delivery of the SSD; d) procedures and mechanisms through which the Applicant can respond to enquiries or feedback from the community stakeholders in relation to the environmental management and delivery of the SSD; and e) procedures and mechanisms that would be implemented to resolve issues/disputes that may arise between parties on the matters relating to environmental management and the delivery of the SSD, including but not limited to disputes regarding rectification or compensation for impacts to third party property and infrastructure. These procedures and mechanisms may include the use of a suitably qualified and experienced independent mediator. 	<p>Operation Community Communication Strategy, SIMTA, 27/03/20 (the OCCS)</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p> <p>Letter DPIE to Qube, 10/05/21 (acknowledgment of updated OEMP and OCCS)</p> <p>https://simta.com.au/project-wide/</p> <p>https://simta.com.au/wordpress/wp-content/uploads/2021/06/SIMTA-Online-Complaints-document-to-May-2021.pdf</p>	<p>The OCCS was prepared to address requirement a – e of this condition and was approved prior to construction and remains in place.</p> <p>On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site</p> <p>The CCC was established well before commencement of operations. According to the minutes available on line the CCC continues to meet at the set intervals and involves representatives from each of the stakeholders identified</p> <p>The complaints register is available on line, updated monthly.</p>	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Complaints and enquiries procedure				
D2	<p>Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall ensure that the following are available for community enquiries and complaints for the duration of construction:</p> <ol style="list-style-type: none"> a 24 hour telephone number(s) on which complaints and enquiries about the SSD may be registered; a postal address to which written complaints and enquires may be sent; an email address to which electronic complaints and enquiries may be transmitted; and a mediation system for complaints unable to be resolved. <p>The telephone number, the postal address and the email address shall be published in newspaper(s) circulating in the local area prior to the commencement of construction and prior to the commencement of operation. This information shall also be provided on the website (or dedicated pages) required by this approval.</p>	<p>Operation Community Communication Strategy, SIMTA, 27/03/20 (the OCCS)</p> <p>https://simta.com.au/contact-us/</p>	<p>The OCCS was prepared and includes complaints management procedures. It was approved prior to construction and remains in place.</p> <p>The Auditor tested the complaints phone line on 08/06/21 with no issues.</p>	C
D3	<p>Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall prepare and implement a Construction Complaints Management System consistent with AS ISO 100022006 Customer satisfaction - Guidelines for complaints handling in organisations (ISO 10002:2004, MOD) and maintain the System for the duration of construction and up to 12 months following completion of construction.</p> <p>Information on all complaints received, including the means by which they were addressed and whether resolution was reached, with or without mediation, shall be maintained in a complaints register and included in the construction compliance reports required by this approval. The information contained within the System shall be made available to the Secretary on request.</p>	<p>Operation Community Communication Strategy, SIMTA, 27/03/20 (the OCCS)</p> <p>https://simta.com.au/contact-us/</p> <p>https://simta.com.au/wordpress/wp-content/uploads/2021/06/SIMTA-Online-Complaints-document-to-May-2021.pdf</p>	<p>The OCCS was prepared and includes complaints management procedures. It was approved prior to construction and remains in place.</p> <p>The Auditor tested the complaints phone line on 08/06/21 with no issues.</p> <p>The complaints register is available on line, updated monthly. It contains the information required by this condition.</p>	C
Provision of electronic information				
D4	<p>Prior to commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall establish and maintain a new website, or dedicated pages within an existing website, for the provision of electronic information associated with the SSD, for the duration of construction. The Applicant shall, subject to confidentiality, publish and maintain up-to-date information on the website or dedicated pages including, but not necessarily limited to:</p> <ol style="list-style-type: none"> information on the current implementation status of the SSD; a copy of the documents listed in condition A1, and any documentation supporting modifications to this approval that may be granted from time to time; a copy of this approval and any future modification to this approval; a copy of each relevant environmental approval, licence or permit required and obtained in relation to the SSD; a copy of each current report, plan or other document required under this approval; the outcomes of compliance tracking in accordance with condition C4 of this approval; and details of any contact point(s) to which community complaints and enquiries may be directed, including a telephone number, a postal address and an email address real time noise, dust and water data, where such data is collected under this consent 	<p>Operation Community Communication Strategy, SIMTA, 27/03/20 (the OCCS)</p> <p>https://simta.com.au/project-wide/</p> <p>https://simta.com.au/mpe-2/</p>	<p>The project website contains:</p> <ul style="list-style-type: none"> the EIS and associated material. the consents and modifications each of the approved strategies, plans and programs regular reporting on the environmental performance of the development (monitoring reports, compliance reports and audit reports). a summary of the current stage (phased operations) contact details to enquire about the development or make a complaint; a complaints register updated on a monthly basis; the Annual Reviews (compliance reports) audit reports <p>The website is current.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
PART E CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
Approved plans to be onsite				
E1	A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, relevant Council or the Certifying Authority.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Site notice				
E2	A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Contractor, Certifying Authority and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements: <ul style="list-style-type: none"> a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size; b) The notice is to be durable and weatherproof and is to be displayed throughout the works period; c) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and d) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Contact telephone number				
E3	The Applicant shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Environmental representative				
E4	Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall appoint a suitably qualified and experienced Environmental Representative(s) that is independent of the design and construction personnel, and that has been approved by the Secretary. The Applicant shall employ the Environmental Representative(s) for the duration of construction of this stage, or as otherwise agreed by the Secretary. The Environment Representative(s) shall: <ul style="list-style-type: none"> a) be the principal point of advice in relation to the environmental performance of construction; b) monitor the implementation of environmental management plans and monitoring programs required under this approval and advise the Applicant upon the achievement of these plans/programs; c) have responsibility for considering, and advising the Applicant on, matters specified in the conditions of this approval, and other licences and approvals related to the environmental performance and impacts of construction; d) ensure that environmental auditing is undertaken in accordance with the Applicant's Environmental Management System(s); e) be given the authority to approve/reject minor amendments to the Construction Environment Management Plan. What constitutes a "minor" amendment shall be clearly explained in the Construction Environment Management Plan; f) be given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts; and g) be consulted in responding to the community concerning the environmental performance of construction where the resolution of points of conflict between the Applicant and the community is required. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E5	The Environmental Representative shall prepare and submit to the Secretary a quarterly report on the Environmental Representative's actions and decisions on matters specified in condition E4. The reports shall be submitted within seven (7) days for the end of each	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	quarter for the duration of construction, or as otherwise agreed by the Secretary. Notwithstanding, the Environmental Representative shall be given the independence to report to the Secretary at any time and/or at the request of the Secretary.		and SSD 7628 are subject to separate audit programs and do not form part of this audit.	
Construction soil and water management				
E6	Soil and water management measures consistent with Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition (Landcom, 2004) shall be employed during construction to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E7	Construction shall be undertaken to comply with section 120 of the Protection of the Environment Operations Act 1997, which prohibits the pollution of waters.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Bunding				
E8	The Applicant shall store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's Storing and Handling Liquids: Environmental Protection - Participants Handbook.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Riparian corridor works				
E9	All activities taking place in, on or under waterfront land, as defined in the Water Management Act 2000 should be conducted generally in accordance with the NSW Office of Water's Guidelines for Controlled Activities.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Incident reporting				
E10	The Applicant shall notify the Secretary and relevant public authorities of any incident with actual or potential significant on-site or off-site impacts on human health or the biophysical environment within 24 hours of becoming aware of the incident. The Applicant shall provide full written details of the incident to the Secretary within seven days of the date on which the incident occurred. Note: Where an incident also requires reporting to the EPA and/or OEHL, the incident report prepared for the purposes of notifying the EPA and/or OEHL would meet this requirement.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E11	The Applicant shall meet the requirements of the Secretary or relevant public authority (as determined by the Secretary) to address the cause or impact of any incident, as it relates to this approval, reported in accordance with condition E10, within such period as the Secretary may require.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Heritage				
E12	The Applicant shall not harm, modify or otherwise impact any heritage items outside the subject site.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			and SSD 7628 are subject to separate audit programs and do not form part of this audit.	
Dangerous goods				
E13	<p>Dangerous goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with:</p> <ul style="list-style-type: none"> a) all relevant Australian Standards; b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin (Environment Protection Authority, 1997). <p>In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Dust management				
E14	The Applicant shall carry out all feasible and reasonable measures to minimise dust generated by the Development.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E15	During construction, the Applicant shall ensure that all loaded vehicles entering or leaving the site have their loads covered; and all loaded vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking these materials on public roads.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Waste management				
E16	The reuse and/or recycling of waste materials generated on site shall be maximised as far as practicable, to minimise the need for treatment or disposal of those materials off site.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E17	All liquid and/or non-liquid waste generated on the site shall be assessed and classified in accordance with Waste Classification Guidelines (Department of Environment, Climate Change and Water 2009).	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E18	All waste materials removed from the subject site shall only be directed to a waste management facility or premises lawfully permitted to accept the materials.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Construction hours				
E19	<p>Construction shall be undertaken during the following standard construction hours:</p> <ul style="list-style-type: none"> a) 7:00am to 6:00pm Mondays to Fridays, inclusive; and 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	b) 8:00am to 1:00pm Saturdays; at no time on Sundays or public holidays.		and SSD 7628 are subject to separate audit programs and do not form part of this audit.	
E20	<p>Activities resulting in a high noise impact shall only be undertaken:</p> <ul style="list-style-type: none"> a) between the hours of 8:00 am to 5:00 pm Monday to Friday; b) between the hours of 8:00 am to 1:00 pm Saturday; and c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block. <p>For the purposes of this condition, 'continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work the subject of this condition.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E21	<p>Notwithstanding conditions E20 and E21, works may be undertaken outside the hours specified under those conditions in the following circumstances:</p> <ul style="list-style-type: none"> a) construction works that cause LAeq (15 minute) noise levels that are: <ul style="list-style-type: none"> i. No more than 5 dB above rating background level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009); and ii. No more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive land uses; or b) for the delivery of materials required by the police or other authorities for safety reasons; or c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or d) construction works approved through an Out-Of-Hours Work Protocol prepared as part of the Construction Noise and Vibration Management Plan required by condition E35(b), provided the relevant Council, local residents and other affected stakeholders and sensitive receivers are informed of the timing and duration at least 48 hours prior to the commencement of the works; or e) identified works approved by the Secretary. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Construction noise and vibration				
E22	<p>The Applicant shall implement all feasible and reasonable noise mitigation measures with the aim of achieving the following construction noise management levels and vibration criteria:</p> <ul style="list-style-type: none"> a) construction noise management levels established using the Interim Construction Noise Guideline (DECC 2009); b) vibration criteria established using the Assessing Vibration: a Technical Guide (DECC 2006) (for human exposure); and c) the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures (for structural damage). <p>Any construction activities identified as exceeding the construction noise management levels and/or vibration criteria shall be managed in accordance with the Construction Noise and Vibration Management Plan required by condition E35(b).</p> <p>Note: The Interim Construction Noise Guideline identifies 'particularly annoying' activities that require the addition of 5dB (A) to the predicted level before comparing to the construction Noise Management Level.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Construction traffic noise				
E23	<p>The Applicant is to ensure that construction vehicles operate so as to minimise any construction noise impacts from the construction site. Measures that could be used include toolbox talks, contracts that include provisions to deal with unsatisfactory noise performance for the vehicle and/or the operator, and specifying non-tonal movement alarms in place of reversing beepers or alternatives such as reversing cameras and proximity alarms, or a combination of these, where tonal alarms are not mandated by legislation.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E24	<p>No use of compression brakes shall be permitted for construction vehicles associated with construction in the vicinity of the subject site.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Review of operational sleep disturbance impacts				
E25	<p>The Applicant shall prepare a review of sleep disturbance impacts based on detailed design, including:</p> <ul style="list-style-type: none"> a) An assessment of how often noise events occur, the time of day they occur and whether there are any times of day when there is a clear change in the noise environment; b) Confirm the operational sleep disturbance predictions identified in the documents listed under Condition A1; and c) Consider appropriate noise mitigation measures where required. <p>The report shall be prepared in consultation with the EPA and be submitted to the satisfaction of the Secretary within 6 months of commencement of construction, unless otherwise agreed by the Secretary.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Transport and access				
E26	A Road Occupancy Licence (ROL) must be obtained from the Transport Management Centre (TMC) for any activity likely to impact on the operational efficiency of the road network, allowing the use of specified public road space at approved times. The Applicant must allow a minimum of 10 working days for processing from date of receipt and include a Traffic Control Plan with any application.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E27	Construction shall be carried out, where feasible and reasonable, to avoid the use of local roads (through residential streets) by heavy vehicles to gain access to the site and/or ancillary facilities.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E28	<p>Construction vehicles (including staff vehicles) shall be managed to:</p> <ul style="list-style-type: none"> a) minimise parking or queuing on public roads; b) minimise idling and queuing in local residential streets where practicable; c) adhere to the nominated haulage routes identified in the Construction Traffic and Access Management Plan required under condition E35(a); and ensure access and egress from construction compounds is undertaken in a safe and lawful manner. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E29	Safe pedestrian and cyclist access through or around worksites shall be maintained during construction. In circumstances where pedestrian and cyclist access is restricted due to construction activities, a satisfactory alternate route shall be provided and signposted, including provision of temporary footpaths where pedestrian access is reliant on grassed verges.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E30	Access to all properties affected by the carrying out of construction shall be maintained, where feasible and reasonable, unless otherwise agreed by the relevant property owner or occupier. Any access physically affected by construction shall be reinstated to at least an equivalent standard, unless agreed with by the property owner.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Biodiversity				
E31	No threatened species or communities can be cleared other than that required for construction.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E31A	Where any threatened flora species are to be cleared, individual plants of species suitable for translocation shall be considered for translocation into areas that have been identified as requiring rehabilitation within the Biodiversity Offset Package.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			and SSD 7628 are subject to separate audit programs and do not form part of this audit.	
E32	The existing mature trees located on the eastern side of Moorebank Avenue shown on Drawing LA01 (Landscape Master plan) dated 30.3.2015 shall be retained, unless where required to be removed for construction of a permanent access point to the terminal site. Trees to be retained shall be protected and maintained during preconstruction and construction activities in accordance with AS4970-2009 Protection of trees on development sites. Details of tree protection must be provided to the Certifying Authority prior to the commencement of construction.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Construction environmental management plan				
E33	<p>Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall prepare and implement a Construction Environmental Management Plan (CEMP). The CEMP is to be prepared in consultation with the EPA, OEH, DPI Water, DPI Fisheries, and the relevant Council, for the approval of the Secretary. The CEMP shall outline the environmental management practices and procedures that are to be followed during construction. The CEMP is to be prepared in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004). The Secretary shall consider the comments of the office of Strategic Lands in its consideration of the CEMP. The CEMP shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) a description of activities to be undertaken during construction; b) statutory and other obligations that the Applicant is required to fulfil during construction, including approvals, consultations and agreements required from authorities and other stakeholders under key legislation and policies; c) a description of the roles and responsibilities for relevant employees involved in construction, including relevant training and induction provisions for ensuring that employees, including contractors and sub- contractors, are aware of their environmental and compliance obligations under these conditions of approval; d) an environmental risk analysis to identify the key environmental performance issues associated with construction; and e) details of how environmental performance would be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified potential adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the CEMP: <ul style="list-style-type: none"> i) measures to monitor and manage dust emissions including dust from stockpiles, traffic on unsealed internal roads and materials tracking from construction sites onto public roads; ii) measures for the handling, treatment and management of hazardous and contaminated materials (including asbestos); iii) measures to monitor and manage waste generated during construction including but not necessarily limited to: general procedures for waste classification, handling, reuse, and disposal; use of secondary waste material in construction wherever feasible and reasonable; procedures or dealing with green waste including timber and mulch from clearing activities; and measures for reducing demand on water resources (including potential for reuse of treated water from sediment control basins); iv) measures to monitor and manage hazard and risks; v) measures to monitor and rectify any impacts to third party property and infrastructure, including details of the process for rectification or compensation of affected landowners, and timeframes for rectification works or compensation processes; and vi) the issues identified in condition E34. <p>The CEMP shall include procedures for its periodic review and update (including the sub-plans required under condition E35, as necessary (including where minor changes can be approved by the Environmental Representative).</p> <p>The CEMP shall be submitted for the approval of the Secretary no later than one month prior to the commencement of construction, or as otherwise agreed by the Secretary. The CEMP may be prepared in stages; however, construction shall not commence until written approval of the relevant stage has been received from the Secretary.</p> <p>The approval of a CEMP does not relieve the Applicant of any requirement associated with this approval. If there is an inconsistency with an approved CEMP and the conditions of this approval, the requirements of this approval shall prevail.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Construction environmental management plan- sub plans				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
E34	<p>As part of the CEMP for the SSD, the Applicant shall prepare and implement:</p> <p>a) a Construction Traffic and Access Management Plan to ensure traffic and access controls are implemented to avoid or minimise impacts on traffic, pedestrian and cyclist access, and the amenity of the surrounding environment. The Plan shall be developed in consultation with the relevant Council, emergency services, road user groups, and relevant pedestrian and bicycle user groups, and include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i) identification of construction traffic routes and construction traffic volumes (including heavy vehicle/spoil haulage) on these routes; details of vehicle movements for construction sites and ancillary facilities including parking, dedicated vehicle turning areas, and ingress and egress points; discussion of construction impacts that could result in disruption of traffic, public transport, pedestrian and cycle access, access to public land, property access, including details of oversize load movements, and the nature and duration of those impacts; ii) discussion of construction impacts that could result in disruption of traffic, public transport, pedestrian and cycle access, access to public land, property access, including details of oversize load movements, and the nature and duration of those impacts; iii) details of management measures to minimise traffic impacts, including temporary road work traffic control measures, onsite vehicle queuing and parking areas and management measures to minimise peak time congestion and measures to ensure safe pedestrian and cycle access; iv) details of measures to maintain or provide alternative safe and accessible routes for pedestrians throughout the duration of construction; v) details of measures to maintain connectivity for cyclists, with particular emphasis on providing adequate access between key existing cycle routes for commuter cyclists; vi) details of measures to manage traffic movements, parking, loading and unloading at ancillary facilities during out-of-hours work; vii) (viii) details of methods to be used to communicate proposed future traffic changes to affected road users, pedestrians and cyclists, consistent with the Community viii) Communication Strategy required under condition D1; ix) an adaptive response plan which sets out a process for response to any traffic, construction or other incident; and x) mechanisms for the monitoring, review and amendment of this plan. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E34	<p>b) a Construction Noise and Vibration Management Plan to detail how construction noise and vibration impacts will be minimised and managed. The Plan shall be consistent with the guidelines contained in the Interim Construction Noise Guidelines (Department of Environment and Climate Change 2009). The plan shall be developed in consultation with the EPA and shall include, but not be limited to:</p> <ul style="list-style-type: none"> i) identification of the work areas, site compounds and access points; ii) identification of sensitive receivers and relevant construction noise and vibration goals applicable to the SSD and stipulated in the conditions above; iii) details of construction activities and an indicative schedule for works, including the identification of key noise and/or vibration generating construction activities (based on representative construction scenarios, including at ancillary facilities) that have the potential to generate noise and/or vibration impacts on surrounding sensitive receivers, particularly residential areas; iv) an Out-of-Hours Work Protocol for the assessment, management and approval of works outside of standard construction hours as defined in condition E19 of this approval, for the Secretary's approval. The Out-of-Hours Work Protocol must detail: <ul style="list-style-type: none"> (a) assessment of out-of-hours works against the relevant noise and vibration criteria; (b) detailed mitigation measures for any residual impacts (that is, additional to general mitigation measures), including extent of at receiver treatments; and (c) proposed notification arrangements. v) identification of feasible and reasonable measures proposed to be implemented to minimise and manage noise impacts (including construction traffic noise impacts), including, but not limited to, acoustic enclosures, erection of noise walls (hoardings) and respite periods; vi) identification of feasible and reasonable procedures and mitigation measures to ensure relevant vibration criteria are achieved, including applicable buffer distances for vibration intensive works, use of low vibration generating equipment/ vibration dampeners or alternative construction methodology, and pre- and post- construction dilapidation surveys of sensitive structures where blasting and/ or vibration is likely to result in damage to buildings and structures (including surveys being undertaken immediately following a monitored exceedance of the criteria); 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> vii) a description of how the effectiveness of mitigation and management measures would be monitored during construction, clearly indicating how often this monitoring would be conducted, the locations where monitoring would take place, how the results of this monitoring would be recorded and reported, and, if any exceedance is detected, how any noncompliance would be rectified; and viii) mechanisms for the monitoring, review and amendment of this plan 			
E34	<ul style="list-style-type: none"> c) a Construction Heritage Management Plan to ensure construction impacts on Aboriginal and non-Aboriginal heritage will be appropriately avoided minimised and managed. The Plan shall be developed in consultation with OEH, the relevant Council, the NSW Heritage Council (for non-Aboriginal State heritage items) and the relevant Local Aboriginal Land Councils (for Aboriginal heritage), and include, but not necessarily be limited to: d) in relation to Aboriginal Heritage: <ul style="list-style-type: none"> i) details of management measures to be carried out in relation to Aboriginal heritage, including a detailed methodology and strategies for protection, monitoring, and conservation of sites and items; <ul style="list-style-type: none"> (a) procedures for dealing with previously unidentified Aboriginal objects (excluding human remains), including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures, including when works can re-commence, by a suitably qualified and experienced archaeologist in consultation with the Secretary and Aboriginal stakeholders, assessment of the consistency of any Aboriginal heritage impacts against the approved impacts of the SSD, and, where relevant, registration in the OEH's Aboriginal Heritage Information Management System (AHIMS) register; (b) procedures for dealing with human remains, including cessation of works in the vicinity, notification of Secretary, NSW Police Force, OEH and Aboriginal stakeholders, and commitment to cease recommencing any works in the area unless authorised by the OEH and/or the NSW Police Force; (c) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) and obligations under the conditions of this approval including site identification, protection and conservation of Aboriginal cultural heritage; and (d) procedures for ongoing Aboriginal consultation and involvement for the duration of construction; and ii) in relation to non-Aboriginal Heritage: <ul style="list-style-type: none"> (a) identification of heritage items directly and indirectly affected by construction; (b) b) consideration of methods to prevent damage to any retained heritage items, including: (c) details of management measures to be implemented to prevent and minimise impacts on heritage items (including further heritage investigations, archival recordings and/or measures to protect unaffected sites during construction works in the vicinity); (d) details of monitoring and reporting requirements for impacts on heritage items; (e) procedures for dealing with previously unidentified heritage objects, (including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a suitably qualified and experienced archaeologist in consultation with the OEH, NSW Heritage Council and the Secretary, assessment of the consistency of any heritage impacts against the approved impacts of the SSD, and, where relevant, notification of the Heritage Council of NSW in accordance with section 146 of the Heritage Act 1977; and (f) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions and obligations under this approval including site identification, protection and conservation of non-Aboriginal cultural heritage; and iii) mechanisms for the monitoring, review and amendment of this plan. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E34	<ul style="list-style-type: none"> e) a Construction Flora and Fauna Management Plan to detail how impacts on ecology (as detailed in the most recent mapping endorsed by OEH) will be minimised and managed. The Plan shall be developed by a suitably qualified and experienced ecologist and in consultation with the OEH, and shall include, but not necessarily be limited to: <ul style="list-style-type: none"> i) plans for impacted and adjoining areas showing vegetation communities; important flora and fauna habitat areas; locations where threatened species, populations or ecological communities have been recorded; including pre-clearing surveys to confirm the location of threatened flora and fauna species and associated habitat features; ii) the identification of areas to be cleared and details of management measures to avoid residual habitat damage or loss and to minimise or eliminate time lags between the removal and subsequent replacement of habitat such as: <ul style="list-style-type: none"> (a) clearing minimisation procedures (including fencing), (b) clearing procedures (including nest box plan), (c) removal and relocation of fauna during clearing, (d) habitat tree management, and (e) construction worker education; (f) installation of exclusion fencing prior to commencement of construction. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> iii) rehabilitation details, including identification of flora species and sources, and measures for the management and maintenance of rehabilitated areas; iv) a Weed Management Strategy, incorporating weed management measures focusing on early identification of invasive weeds and effective management controls (including for those related to aquatic and riparian zones); v) a description of how the effectiveness of these management measures would be monitored; vi) a procedure for dealing with unexpected EEC/ threatened species identified during construction, including cessation of work and notification of the OEH and DPI Fisheries, determination of appropriate mitigation measures in consultation with the OEH and DPI Fisheries (including relevant re-location measures) and updating of ecological monitoring and/ or biodiversity offset requirements; and vii) mechanisms for the monitoring, review and amendment of this plan. 			
E34	<ul style="list-style-type: none"> f) a Construction Air Quality Management Plan to detail how impacts on local air quality will be minimised and managed. The Plan shall be developed in consultation with the EPA, and shall include, but not necessarily be limited to: <ul style="list-style-type: none"> i) identification of sources (including stockpiles and open work areas) and quantification of airborne pollutants; ii) key performance indicators for local air quality during construction; iii) details of monitoring methods, including location, frequency and duration of monitoring; iv) mitigation measures to minimise impacts on local air quality; v) procedures for record keeping and reporting against key performance indicators; vi) provisions for implementation of additional mitigation measures in response to issues identified during monitoring and reporting; and vii) mechanisms for the monitoring, review and amendment of this plan. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
E34	<ul style="list-style-type: none"> g) a Construction Soil and Water Management Plan to manage surface and groundwater impacts during construction. The plan shall be developed in consultation with, EPA, NSW Office of Water, and relevant Councils, and include, but not necessarily be limited to: <ul style="list-style-type: none"> i) details of construction activities and their locations, which have the potential to impact on water courses, storage facilities, stormwater flows, and groundwater, including identification of all pollutants that may be introduced into the water cycle; ii) potential impacts on watercourse bank stability and the development of appropriate mitigation measures as required; iii) emergency response procedures addressing potential flood impacts or spill incidents; iv) an Erosion and Sediment Control Plan, detailing measures to manage any erosion and sedimentation impacts into the Georges River or Anzac Creek; v) an Acid Sulfate Soils Management Plan, if required, including measures for the management, handling, treatment and disposal of acid sulfate soils, including monitoring of water quality at acid sulfate soils treatment areas, should construction activities impact on acid sulfate soils; vi) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be undertaken, the locations where monitoring would take place, how the results of the monitoring would be recorded and reported, and, if any exceedance of the criteria is detected how any noncompliance can be rectified; and vii) mechanisms for the monitoring, review and amendment of this plan. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
PART F PRIOR TO OPERATIONS				
Post-Construction Dilapidation Report				
F1	<p>The Applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works:</p> <ul style="list-style-type: none"> a) This report is to ascertain whether the construction works created any structural damage to footpaths, roads, buildings and other utilities in the vicinity of the development. b) The report is to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Certifying Authority must: <ul style="list-style-type: none"> i) compare the post-construction dilapidation report with the pre-construction dilapidation report ; and ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads as a result of construction. c) The report shall be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS and the Secretary. 	<p>Post construction dilapidation report, road footpaths, and kerbs, Craigmar, 12/05/19.</p> <p>Moorebank Ave Dilapidation findings (roads structural damage), Northrop, 11/07/19.</p> <p>Moorebank Ave Condition F1 Letter, Qube to Tactical, 11/12/19.</p>	<p>The dilapidation reports were prepared for footpaths, roads and kerbs (no buildings and other utilities were in the vicinity).</p> <p>The reports were submitted to the Certifier. The Certifier confirmed acceptance via issue of the OC.</p> <p>The reports were submitted to Councils, DPIE and TfNSW</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Email Tactical to Certifier, 08/01/20 Interim Occupation Certificate, 19/124050-7, McKenzie Group, 16/07/19) Emails x 2 Tactical to LCC and Campbelltown Council, 14/01/20 Email Tactical to DPIE 14/01/20 Email Tactical to TfNSW (RMS), 14/01/20		
Easements				
F2	Prior to the commencement of operation, the Applicant shall submit the final draft section 88B instrument, if relevant to the Certifying Authority and the Secretary for information.	Memo, Tactical to DPIE, 030319 Interim Occupation Certificate, 19/124050-7, McKenzie Group, 16/07/19)	88B instruments were obtained for the MIDIT Rail Easement and the GWS rail easement. These were submitted to the Department on 03/03/19. The OC verifies acceptance by the Certifier.	C
External lighting				
F3	External Lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the Applicant shall submit to the Certifying Authority, in consultation with the relevant Council and RMS, evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.	Moorebank Logistics Park Lighting Design Report, Northrop, 21/05/19 Statement of Compliance, Northrop, 28/06/19 Email chain Tactical and RMS, 23/05/19 – 11/06/19 Email chain Tactical and LCC, 17/06/19	The lighting design was prepared in accordance with this requirement and in consultation with the identified parties. The Statement of compliance confirms installation as per the design. The OC verifies acceptance by the Certifier that it complies with this requirement.	C
Operation environmental management plan				
F4	The Applicant shall prepare and implement (following approval) an Operation Environmental Management Plan (OEMP). The Plan shall outline the environmental management practices and procedures that are to be followed during operation, and shall be prepared in consultation with relevant agencies and in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004). The Plan shall include, but not necessarily be limited to: <ul style="list-style-type: none"> a) a description of activities to be undertaken during operation (including staging and scheduling); b) statutory and other obligations that the Applicant is required to fulfil during operation, including approvals, consultations and agreements required from authorities and other stakeholders under key legislation and policies; c) overall environmental policies, guidelines and principles to be applied to the operation of the project; d) a description of the roles and responsibilities for relevant employees involved in the operation of the project, including relevant training and induction provisions for ensuring that employees are aware of their environmental and compliance obligations under these conditions of approval; e) an environmental risk analysis to identify the key environmental performance issues associated with the operation phase; f) details of management and monitoring of environmental performance, including the actions to be taken to address identified potential adverse environmental impacts (and any impacts arising from staging of the project construction). In particular, the following environmental performance issues shall be addressed in the Plan: 	Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, 27/03/20 (and 19/02/21), SIMTA (the OEMP) Stormwater Infrastructure Operation and Maintenance Plan Moorebank Logistics Park – East Precinct, 26/03/20, SIMTA (the SIOMP) Operational Air Quality Management Plan, SIMTA, 27/03/20 (OAQMP)	The OEMP (Rev 10, 30/07/19) was approved by the Department on 9/09/19 subject to further updates. The updated OEMP (Rev 14, 05/02/20) reflects the progressive operation of the site with the inclusion of Area 2, and was submitted to the Department under condition F4 of SSD 6766 and conditions C3 and B16 of SSD 7628 consistent with the approved staged Program for Operational Phase Delivery (POPD). The Department did not provide any comments on the update. On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> i) noise emissions including measures for regular performance monitoring of noise generated by the project and measures to proactively respond to and deal with noise complaints; ii) a description of the proposed and/or implemented measures to minimise visual impact project components, such as landscaping and design considerations; iii) procedures for the monitoring and maintenance of the watercourse crossings to achieve stable creek bed and banks; iv) and air emissions including measures for regular performance monitoring of air quality generated by the Project and measures to proactively respond to and deal with air quality complaints. <p>The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation, or as otherwise agreed by the Secretary.</p> <p>Operation shall not commence until written approval has been received from the Secretary.</p> <p>The approval of an Operation Environmental Management Plan does not relieve the Applicant of any requirement associated with this project approval. If there is an inconsistency with an approved Operation Environmental Management Plan and the conditions of this approval, the requirements of this approval prevail.</p>	<p>Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP)</p> <p>Letter DPIE to Qube, 18/03/20 (MPE S1 and S2 OEMP approval)</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p> <p>https://simta.com.au/mpe-2/</p>	<p>Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site</p> <p>It is understood that operations commenced 17/05/20.</p> <p>Observation: The point of refuelling the Reacher Stacker Cranes is not adequately bunded.</p>	
Operational noise				
F5	<p>Prior to the commencement of operation, the Applicant shall prepare a Brake Squeal Report on brake squeal identifying the following:</p> <ul style="list-style-type: none"> a) The extent of brake squeals across the fleet of rail vehicles that will frequently use the terminals. This should identify the number of occurrences of brake squeal, the typical noise levels associated with brake squeal (including the frequency content), and the operational conditions under which brake squeal occurs (e.g. under light braking, hard braking, low / medium / high speed, effects of temperature and weather, etc.); b) The root cause of brake squeal, including the influence of the design, set-up and maintenance of both brake shoes and brake rigging; c) Possible solutions to mitigate or eliminate brake squeal, including modifications to brake rigging and alternative brake shoe designs and compounds; and d) Any monitoring system proposed to capture brake squeal. 	Brake Squeal Report, Renzo, 02/07/19	The Brake Squeal Report was prepared prior to operations and addresses the requirements from this condition.	C
F5A	<p>The Applicant shall prepare and implement (following approval) a Container Noise Barrier Management Plan (CNBMP). The plan shall be prepared by a suitably experienced and qualified acoustics consultant and shall outline the management practices and procedures that are to be followed during night-time operation of the site and for the stacking of containers to be used as noise barriers. The plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) the preparation of a specification for the stacking of containers to achieve the required level of noise reduction so as to comply with the project specific noise levels** and the sleep disturbance trigger levels*** for the night-time period* at the nearest affected residential receivers and which is to include such details as the minimum numbers of containers, their locations, stacking heights, orientation and maximum gap between containers. The Plan shall include any restrictions on stacking of containers above two high if this is found necessary. b) the measurement of noise from operation of the site and an assessment of compliance with the project specific noise levels and the sleep disturbance trigger levels at the nearest affected residential receivers at the following times: <ul style="list-style-type: none"> i) not less than 3 months and not more than 6 months after commencement of operation, noise surveys shall be conducted on three separate nights for a period of not less than 2 hours whilst train wagons are being loaded with containers; ii) thereafter for 6 months on one night per month for a period of not less than 2 hours whilst train wagons are being loaded with containers. iii) Noise measurements shall be conducted in accordance with the EPA's Industrial Noise Policy c) the details of each noise survey shall be documented in a report with a drawing showing the observed location of containers which are subject to the Plan, the measurement equipment used, its calibration status, environmental conditions, receiver locations, methodology, a detailed description of the activities on site, the results obtained and whether or not compliance has been achieved with the project specific noise levels and the sleep disturbance trigger levels at the nearest affected residential receivers. d) if the report concludes that the project specific noise levels and the sleep disturbance trigger levels for the night-time period at the nearest affected residential receivers are not being complied with, then recommendations shall be made by the acoustic consultant to amend the Plan accordingly and the Applicant shall implement those recommendations as soon as practical provided they are feasible and reasonable. 	<p>Container Noise Barrier Management Plan, SIMTA, 19/03/20 (The CNBMP)</p> <p>Letter DPIE to Qube, 16/08/19 (approval of F5A, G6(b), G7A, and G7 reports)</p> <p>Email, DPIE to Tactical, 19/11/19</p>	<p>The CNBMP was prepared by SIMTA in mid 2019 and was updated to address each of the requirements of this condition.</p> <p>On 16/08/19 the Department approved the CNBMP (CoC F5A, the Best Practice Wagon Report (G6b), Rail Noise Angle of Attack Report (G7 G7A). This was also confirmed by way of email on 19/11/19.</p> <p>The reports are available on the website.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>e) the Plan shall include a description of the roles and responsibilities for relevant employees involved in the operation of the CNBMP, including relevant training and induction provisions for ensuring that employees are aware of their environmental and compliance obligations under the Plan. The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation. Copies of the detailed reports and the Plan (as amended) shall be provided to the Secretary and made available on the Project Website.</p> <p>* The night-time period is defined as 10pm-7am Mon-Sat and 10pm-8am Sundays and Public Holidays</p> <p>** Contained within the LAEq (15 min) column in Table A in Condition F5B</p> <p>*** Contained within the Review of Operational Sleep Disturbance Impacts</p>			
F5B	<p>Industrial noise (excluding activities covered by the NSW Rail Infrastructure Noise Guideline) generated by the development is to be measured and evaluated for compliance generally in accordance with the relevant requirements of the NSW Industrial Noise Policy (as may be updated from time to time).</p> <p>Table A contains the Noise Criteria dB(A).</p> <p>Note: References to sensitive receivers should be read in conjunction with the description of sensitive receivers in the EIS noting that Casula includes Glenfield Farm</p>	<p>Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP)</p> <p>Letter, DPIE to Qube 09/09/19</p> <p>Container Noise Barrier Management Plan, SIMTA, 19/03/20 (The CNBMP)</p> <p>Letter DPIE to Qube, 16/08/19 (approval of F5A, G6(b), G7A, and G7 reports)</p> <p>Moorebank Intermodal Terminal DRAFT Annual Noise Review - April 2021, Renzo Tonin, 29/04/21</p>	<p>The CNBMP was prepared by SIMTA in mid 2019 and was updated to address each of the requirements of this condition.</p> <p>On 16/08/19 the Department approved the CNBMP and confirmed by way of email on 19/11/19.</p> <p>To note (SSD 7628) CoC B80 states that the "Noise generated by operation of the development inclusive of MPE Stage 1 operations must not exceed the noise limits in Table 5" of that consent. The noise limits specified by SSD 7628 CoC B80 have therefore been adopted.</p> <p>This condition is also addressed within the ONVMP, approved by the Department on 09/09/19.</p> <p>The Draft Annual Noise Review summarises all monitoring undertaken for the year (including INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements, Warehouse noise monitoring, Rail link noise monitoring at residential receivers, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring, Year 1 rail operations noise monitoring report, Rail link angle of attack (AoA) monitoring, Year 1 rail operations AoA monitoring. It concludes that no exceedances of the planning approval noise limits were measured during Year 1 operations.</p>	C
F5C	<p>The noise criteria in Table A of condition F5B are to apply under all meteorological conditions except the following:</p> <p>a) wind speeds greater than 3 m/s at 10 metres above ground level; or</p> <p>b) stability category F temperature inversion conditions and wind speeds greater than 2 m/s at 10 m above ground level; or</p> <p>c) stability category G temperature inversion conditions.</p>	<p>Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP)</p> <p>Letter, DPIE to Qube 09/09/19</p> <p>Container Noise Barrier Management Plan, SIMTA, 19/03/20 (The CNBMP)</p>	<p>The CNBMP was prepared by SIMTA in mid 2019 and was updated to address each of the requirements of this condition.</p> <p>On 16/08/19 the Department approved the CNBMP and confirmed by way of email on 19/11/19.</p> <p>This condition is also addressed within the ONVMP, approved by the Department on 09/09/19.</p> <p>The Draft Annual Noise Review summarises all monitoring undertaken for the year (including INP noise monitoring at Casula, Glenfield, Wattle Grove</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Letter DPIE to Qube, 16/08/19 (approval of F5A, G6(b), G7A, and G7 reports) Moorebank Intermodal Terminal DRAFT Annual Noise Review - April 2021, Renzo Tonin, 29/04/21	and Wattle Grove North, Container noise barrier measurements, Warehouse noise monitoring, Rail link noise monitoring at residential receivers, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring, Year 1 rail operations noise monitoring report, Rail link angle of attack (AoA) monitoring, Year 1 rail operations AoA monitoring. It concludes that no exceedances of the planning approval noise limits were measured during Year 1 operations.	
Traffic management				
F6	The Applicant shall prepare and implement (following approval) an Operational Traffic Management Plan to for the proposed vehicle booking system. The plan shall be prepared in consultation with the Cargo Movement Coordination Centre and include details on container turnaround times and interoperable technology (such as Port Botany RFID tags). The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation, or as otherwise agreed by the Secretary.	Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, SIMTA, 15/05/20 Letter DPIE to Qube, 06/12/19 Letter DPIE to Qube, 28/04/20 (approval of staged OTAMP and WTP) Letter ER to Tactical, 19/05/20 (ER endorsement of residual matters in the OTAMP)	OTAMP prepared to meet the requirements of this condition. The Department initially approved the OTAMP on 06/12/19. The OTAMPs development is staged and subsequent approval was obtained 28/04/20. In the Department's 28/04/20 approval letter they noted that the Environmental Representative, in their endorsement letter dated 2/04/20, requested confirmation that manoeuvrability of the longest vehicles through the site is in accordance with Austroad Guidelines. At the time of the OTAMPs 28/04/20 approval, this matter was still outstanding. The Department required that SIMTA provide the ER with the required information to close out this matter, and update the OTAMP accordingly. This matter was resolved on 19/05/20.	C
F7	The Applicant shall undertake signal decommissioning (where required) in consultation with RMS prior to the commencement of operation. The Applicant shall bear the full cost associated with the decommissioning/removal/disposal of the traffic signals and associated equipment.	Interview with auditees 10/05/21	This is not relevant for SSD 6766. Moorebank Avenue Works are being completed under SSD 7628.	NT
F8	The Applicant shall create an easement within the site at the traffic signals to allow RMS to maintain traffic signal components, if required by the design and condition C25. If no easement is required, access to signals should be maintained for maintenance purposes at all times.	Interview with auditees 10/05/21	This is not relevant for SSD 6766. Moorebank Avenue Works are being completed under SSD 7628.	NT
PART G DURING OPERATIONS				
Damage rectification				
G1	Within 6 weeks of commencement of operation, unless otherwise agreed by the Secretary, the Applicant shall undertake road pavement deflection testing of the truck routes as defined by Condition E34(a). If the deflection tests show an increase in deflection as a result of the truck routes associated with construction, the Applicant shall undertake pavement rehabilitation of the affected road pavements to achieve the pavement deflection that existing prior to the commencement of works.	Interview with auditees 10/05/21	The entire road will be realigned and dedicated to RMS under SSD 7628. This will never be triggered under SSD 6766.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
G2	Within 3 months of commencement of operation, unless otherwise agreed by the Secretary, the Applicant shall carry out rectification work to the extent of the damage resulting from the construction works at the Applicant's expense and to the reasonable requirements of the owners.	Interview with auditees 10/05/21	The entire road will be realigned and dedicated to RMS under SSD 7628. This will never be triggered under SSD 6766.	NT
Registration of easements				
G3	Within 3 months of commencement of operation, the Applicant shall provide to the Certifying Authority evidence that all easements required by this approval, and other licences, approvals and consents, have been lodged for registration or registered at the NSW Land and Property Information.	Memo, Tactical to DPIE, 030319 Interim Occupation Certificate, 19/124050-7, McKenzie Group, 16/07/19)	88B instruments were obtained for the MIDIT Rail Easement and the GWS rail easement. These were submitted to the Department on 03/03/19. The OC verifies acceptance by the Certifier. Operations commenced on 17/05/20.	C
Signage				
G4	Signage shall be installed in accordance with Drawing A3001 Issue C (Terminal - Signage Details) dated 14/04/2015, unless otherwise agreed by the Secretary.	Urban Design and Landscape Plan Moorebank Precinct East Stage 1, SIMTA, 19/12/18 Design Certification Statement, CPB Contractors, 02/05/19 RALP Fencing, Gate & Signage as Built Plans, 14/10/19. IMEX Road Signage, Linemarking & Furniture, Work as executed Plans, 23/10/20 Drawing A3001 Issue C (Terminal - Signage Details) dated 14/04/2015	On 02/05/19 the Principal Construction Contractor for RALP provided a statement that the signage had been installed as per the approved design. As built drawings were also prepared. Signage as shown in Drawing A3001 Issue C (Terminal - Signage Details) dated 14/04/2015 has yet to be installed as the signs will be affected by the pending Moorebank Avenue upgrade	C
Dangerous goods				
G5	The quantities of Dangerous Goods present at any time on the site or transported from and to the terminal site shall be kept below the screening threshold quantities listed in the Hazardous and Offensive Development Guidelines Applying SEPP 33, (DPIE 2011). The screening threshold quantities for each Dangerous Goods shall be defined in accordance with Table 1: Screening Methods of Applying SEPP 33.	Interview with auditees 10/05/21 Site inspection 10/05/21	It is understood that there are no dangerous goods being stored on site by tenants, other than gas used for forklifts. 1 x 10kL bulk diesel tank is on site. this is held within a self-bunded purpose built container. These are under the thresholds.	C
Operational noise, air quality, monitoring and reporting				
G6	Port shuttle operations must use: a) Locomotives that incorporate available best practice noise and emission technologies. Prior to the construction of the rail link connecting to the site, the Applicant must submit a report to the Secretary for consideration and approval that has been prepared in consultation with TfNSW and the EPA that justifies the technology proposed and how it meets the objective of best practice noise and emission technologies; and	Operational Air Quality Management Plan, SIMTA, 27/03/20 (OAQMP) Letter DPIE to Qube, 18/03/20 (MPE S1 and S2 OEMP approval)	G6a relates to prior to construction. The Best Practice Wagon Report was prepared by Renzo Tonin on 05/11/19 to address require (b) of this condition. On 16/08/19 the Department approved the CNBMP (CoC F5A, the Best Practice Wagon Report (G6b),	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>b) Wagons that incorporate available best practice noise technologies such as “onepiece” freight bogies or three-piece freight bogies fitted with cross-bracing or steering arms; and, permanently coupled 'multi-pack' steering wagons using Electronically Controlled Pneumatic (ECP) braking with a wire based distributed power system (or better practice technology). Prior to the commencement of operation, the Applicant must submit a report to the Secretary for consideration and approval that has been prepared in consultation with TfNSW and the EPA that justifies the technology proposed and how it meets the objective of best practice noise technologies.</p>	<p>Best Practice Wagon Report (Condition G6B), Renzo Tonin, 05/11/19.</p> <p>Letter DPIE to Qube, 16/08/19 (approval of F5A, G6(b), G7A, and G7 reports)</p> <p>Email DPIE to Qube, 31/10/19</p>	<p>Rail Noise Angle of Attack Report (G7 G7A). With action required to address G6B. on 31/10/19 the Department confirmed that the action had been addressed.</p> <p>This condition is also addressed within the OAQMP. On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site.</p>	
G7	<p>The Applicant shall install and maintain a rail noise monitoring system on the rail link at the commencement of operation to continuously monitor the noise from rail operations on the rail link. The system shall capture the noise from each individual train passby noise generation event, and include information to identify:</p> <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 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 the Secretary. <p>The results from the noise monitoring system shall be publicly accessible from a website maintained by the Applicant. The noise results from each train shall be available on the website ideally within 24 hours of it passing the monitor. The LAeq(15hour) and LAeq(9hr) results from each day shall be available on the website within 24 hours of the period ending.</p> <p>Prior to the commencement of operation, the applicant shall submit for the approval of the Secretary, justification supporting the appropriateness of the location for rail noise monitoring including details of any alternative options considered and reasons for these being dismissed. The rail noise monitoring system shall not operate until the Secretary has approved the proposed monitoring location.</p> <p>The Applicant shall provide an annual report to the Secretary with the results of monitoring for a period of 5 years, or as otherwise agreed with the Secretary, from the commencement of operation of the IMEX No 1 terminal. The Secretary shall consider the need for further reporting following a review of the results for year 5.</p>	<p>Angle of Attack and Rail Noise Monitoring System - G7, G7A, Renzo Tonin, (Revision 06 16/07/19)</p> <p>Functional and Performance Specification for Permanent Noise Monitor and Proposed Noise and AOA Monitoring Locations, Renzo Tonin, 16/10/19 (RNMS report)</p> <p>Letter DPIE to Qube, 16/08/19 (approval of F5A, G6(b), G7A, and G7 reports)</p> <p>Email DPIE to Qube, 31/10/19</p> <p>Rail Link Noise Monitoring Report G7B, Renzo, 15/11/19</p> <p>DPIE post approval lodgement record 12/05/21 (Rail Link Noise Monitoring Report submission)</p> <p>Moorebank Intermodal Terminal DRAFT Annual Noise Review - April 2021, Renzo Tonin, 29/04/21</p>	<p>The Angle of Attack and Rail Noise Monitoring System Report was prepared by Renzo Tonin to set out a functional and performance specification for a rail noise monitoring system to be installed on the Moorebank Intermodal Terminal (MIMT) rail link and to recommend suitable locations to undertake noise and Angle of Attack (AoA) monitoring.</p> <p>On 16/08/19 the Department provided written confirmation that it had approved the CNBMP (CoC F5A, the Best Practice Wagon Report (G6b), Rail Noise Angle of Attack Report (G7 G7A). With action required to address G7/G7A. on 31/10/19 the Department confirmed that the action had been addressed.</p> <p>Operations commenced on 17/05/20. Monitoring was conducted during 13/08/10 – 04/09/20. The Renzo Report was submitted to the Department, and it confirms that the monitoring was conducted in accordance with this condition. It confirmed that the noise increase was well below the criteria specified in this condition and stated that a noise barrier was not deemed to be required.</p> <p>Observation: The Rail Link Noise Monitoring Report identifies an incorrect commencement date of November 2019. It is understood that this represents the commissioning phase of the development prior to operations.</p> <p>The Draft Annual Noise Review summarises all monitoring undertaken for the year (including INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements, Warehouse noise monitoring, Rail link noise monitoring at residential receivers, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring, Year 1 rail operations noise monitoring report, Rail link angle of attack (AoA) monitoring, Year 1 rail operations AoA monitoring. It concludes that no exceedances of the planning approval noise limits were measured during Year 1</p>	C

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			operations.	
G7A	<p>The applicant shall install and maintain a wayside angle of attack monitoring system on the rail link at the commencement of operation to continuously monitor the angle of attack to the rail of rolling stock wheels.</p> <p>The system shall capture the angle of attack from a wheel on each axle of every train, and include information to identify:</p> <ul style="list-style-type: none"> a) Time and date of each axle passby; and b) The identification number of each item of rolling stock. <p>The results from the angle of attack monitoring system shall be:</p> <ul style="list-style-type: none"> • accessible by train operators from a website maintained by the Applicant. Angle of attack results from each train shall be available on the website within 24 hours of it passing the monitor, unless unforeseen circumstances have occurred. • included in a six-monthly report to the Secretary. The report should at least identify the number of wagons with wheels that exceed the ASA standard angle of attack and the action taken by operators to improve steering performance. <p>Prior to the commencement of operation, the Applicant shall submit for the approval of the Secretary, justification supporting the appropriateness of the location for angle of attack monitoring, the format of the information to be accessible to operators and the format of the public report. The angle of attack monitoring system shall not operate until the Secretary has approved the proposed monitoring location and reporting arrangements</p>	<p>Angle of Attack and Rail Noise Monitoring System - G7, G7A (Revision 06 16/07/19)</p> <p>Letter DPIE to Qube, 16/08/19 (approval of F5A, G6(b), G7A, and G7 reports)</p> <p>Email DPIE to Qube, 31/10/19</p> <p>https://moorebanknoisemonitor-emsbk.trackiq.net/NoiseMonitor/</p> <p>Rail Link Noise Monitoring Report G7B, Renzo, 15/11/19</p> <p>DPIE post approval lodgement record 12/05/21 (Rail Link Noise Monitoring Report submission)</p> <p>Moorebank Intermodal Terminal DRAFT Annual Noise Review - April 2021, Renzo Tonin, 29/04/21</p>	<p>The Angle of Attack and Rail Noise Monitoring System Report was prepared by Renzo Tonin to set out a functional and performance specification for a rail noise monitoring system to be installed on the Moorebank Intermodal Terminal (MIMT) rail link and to recommend suitable locations to undertake noise and Angle of Attack (AoA) monitoring.</p> <p>On 16/08/19 the Department provided written confirmation that it had approved the CNBMP (CoC F5A, the Best Practice Wagon Report (G6b), Rail Noise Angle of Attack Report (G7 G7A). With action required to address G7/G7A. on 31/10/19 the Department confirmed that the action had been addressed.</p> <p>Operations commenced on 17/05/20. Monitoring was conducted during 13/08/10 – 04/09/20. The Renzo Report was submitted to the Department and it confirms that the monitoring was conducted in accordance with this condition. It confirmed that the noise increase was well below the criteria specified in this condition and stated that a noise barrier was not deemed to be required.</p> <p>Monitoring is ongoing with results available online. Monitoring captures time and date, track No., direction, No. of vehicles and locomotives, train ID, train duration, LMax and weighted sound level exposure.</p> <p>The Draft Annual Noise Review summarises all monitoring undertaken for the year (including INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements, Warehouse noise monitoring, Rail link noise monitoring at residential receivers, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring, Year 1 rail operations noise monitoring report, Rail link angle of attack (AoA) monitoring, Year 1 rail operations AoA monitoring. It concludes that no exceedances of the planning approval noise limits were measured during Year 1 operations.</p>	C
Rail noise link monitoring and mitigation				
G7B	<p>The Applicant shall:</p> <ul style="list-style-type: none"> a) not less than three months and not more than twelve months from commencement of operation engage an appropriately qualified and experienced acoustic engineer to undertake a night-time noise survey at Glenfield Farm (or an equivalent location if access is denied). b) the noise survey shall be conducted in accordance with the EPA's Rail Infrastructure Noise Guideline 2013 to determine: 	<p>Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP)</p> <p>Letter, DPIE to Qube 09/09/19</p> <p>Rail Link Noise Monitoring Report</p>	<p>This condition is addressed within the approved ONVMP, approved on 09/09/19.</p> <p>Operations commenced on 17/05/20. Monitoring was conducted during 13/08/10 – 04/09/20. The Renzo Report was submitted to the Department and it confirms that the monitoring was conducted in</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> (i) the contribution of any new rail traffic travelling to and from the development; and, (ii) the increase in the total rail traffic noise level caused by any new rail traffic to and from the development. c) the noise survey shall be conducted for not less than 12 contiguous days in the winter months (July, August or September). d) if as a result of the noise survey there is a sustained increase in the total rail traffic noise level due to the noise level from rail traffic travelling to and from the development of more than 2dB(A) for more than 30% of nights surveyed, the Applicant shall: <ul style="list-style-type: none"> •within twelve months, construct a noise barrier along the relevant sections of rail link in accordance with the specifications provided by an appropriately qualified and experienced acoustic engineer so as to limit the increase in the total rail traffic noise level at Glenfield Farm caused by any new rail traffic to and from the development to not exceed 2dB(A). e) the report of the noise survey including the results and recommendations shall be provided to the Secretary 	<p>G7B, Renzo, 15/11/19</p> <p>DPIE post approval lodgement record 12/05/21 (Rail Link Noise Monitoring Report submission)</p>	<p>accordance with this condition. It confirmed that the noise increase was well below the criteria specified in this condition and stated that a noise barrier was not deemed to be required.</p> <p>Observation: The Rail Link Noise Monitoring Report identifies an incorrect commencement date of November 2019. It is understood that this represents the commissioning phase of the development prior to operations.</p>	
G8	<p>The following measures must be implemented during operation:</p> <ul style="list-style-type: none"> a) The use of top of rail friction modifiers and automatic rail lubrication equipment in accordance with ASA Standard T HR TR 00111 ST Rail Lubrication, where required; and b) Measures to ensure the rail cross sectional profile is maintained in accordance with ETN-01-02 Rail Grinding Manual for Plain Track to ensure the correct wheel / rail contact position and hence to encourage proper rolling stock steering. 	<p>Interview with auditees 10/05/21</p> <p>K48 Monthly Track Patrol, Laing O'Rourke</p> <p>Site inspection 10/05/21</p>	<p>Rail lubricators were installed by CPB at the end of RALP. They are maintained by Laing O'Rourke (LOR) on behalf of Qube and they undertake monthly inspections.</p> <p>Observation: On the day of the site inspection it was observed that there was buckling on the rail line approximately 200m south of the IMEX. It is unclear as to whether this adversely impacts rail cross sectional profile.</p>	C
G9	<p>The transfer of containers between Port Botany and the IMEX No 1 terminal must not commence until the rail connection to the SSFL is operational.</p>	<p>Independent Environmental Compliance Audit, SIMTA Moorebank Precinct East (MPE) Stage 1 – Import Export Terminal (IMEX No 1), WolfPeak, 17/01/20</p>	<p>Operations commenced on 17/05/20 and the connection has been operational since that time.</p> <p>Refer to WolfPeak's finding in relation to commissioning movements prior to operations in the Independent Environmental Compliance Audit Report for MPE Stage 1, dated 17/01/20.</p>	C
G10	<p>Containers must be transferred between the site and Port Botany predominantly by rail, unless where unforeseen circumstances have occurred (e.g. an incident, breakdown, derailment or emergency maintenance on the rail line). The Secretary may at any time request the Applicant to demonstrate that the transport of containers between the site and Port Botany container terminals is by rail. This is to be demonstrated upon request by the Secretary for the prior 12 month period.</p>	<p>Interview with auditees 10/05/21</p> <p>Biannual Trip Origin Destination Report (MPE1 and MPE2), Ason, 15/02/21</p>	<p>The Biannual Trip Origin Destination Report outlines the number of containers being received and dispatched in a month in comparison to the number of trucks coming in out of the site.</p> <p>Non-compliance: The Biannual Trip Origin Destination Report does not report on the total TEU mode share entering and exiting the facility. The auditor requested the Project provide evidence that containers are predominantly transferred by rail. No evidence was provided.</p>	NC
G11	<p>The Applicant shall prepare a six-monthly report to the Secretary with the results of container and vehicle monitoring for a period of 3 years, or as otherwise agreed with the Secretary, from the commencement of operation of the IMEX No 1 terminal. The Secretary shall consider the need for further reporting following a review of the results for year 3. The report shall include:</p> <ul style="list-style-type: none"> a) The number of twenty foot equivalent units dispatched and received during the period; b) A record of heavy vehicle entry by date and approximate time; and c) The number of light vehicles turning right into the terminal site from Moorebank Avenue and turning left from the terminal site onto Moorebank Avenue for a representative day. 	<p>Biannual Trip Origin Destination Report (MPE1 and MPE2), Ason, 15/02/21</p> <p>DPIE post approval portal lodgement 24/02/21</p>	<p>The Biannual Trip Origin Destination Report was prepared to address this condition.</p> <p>Item a) is addressed section 2.</p> <p>Item b) is in section 4</p> <p>Item c) is in section 5. No vehicles were observed turning right into the terminal site from Moorebank Avenue and turning left from the terminal site onto Moorebank Avenue.</p> <p>Non-compliance: Operations commenced on</p>	NC

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			17/05/20. The first 6-monthly report was finalised on 15/02/21 and submitted on 24/02/21 (more than 6 months after commencement).	
G12	All containers handling equipment, purchased after 2019 must meet US EPA Tier 4 or EU Stage IV emission standard or achieve an equivalent emission control performance to those standards listed in this condition.	Operational Air Quality Management Plan, SIMTA, 27/03/20 (OAQMP) Interview with auditees 10/05/21	This condition is addressed within the OAQMP. No container handling equipment has been purchased after 2019.	NT
G13	The Applicant must carry out any activity, or operate any plant, in or on the premises by such practicable means as may be necessary to prevent or minimise air pollution.	Operational Air Quality Management Plan, SIMTA, 27/03/20 (OAQMP) Interview with auditees 10/05/21 Monthly Air Quality Monitoring Reports, Nov 20 – Mar 21), Arcadis to Tactical MPE Operational Air Quality Six Monthly Compliance Report (May – Oct 2020), Arcadis, 19/11/20 Calibration Certificates Airpol, 27/01/21, 25/02/21	This condition is addressed within the OAQMP. The Cranes, Straddle Carriers and Container Lifts are currently being commissioned and tested by the Supplier (Kalmar). They will be handed over to Qube operations in October 2021, at which time Qube will be required to implement a maintenance program. The Supplier hasn't as yet provided the Operations and Maintenance manuals which Qube require to prepare the maintenance program. A monthly internal air monitoring report is prepared by Arcadis. The reports review and analyse data, compare it to thresholds, identify exceedances (if any) and make recommendations. This is then compiled into a 6 monthly report. Observation: The Six Monthly Operational Air Quality Compliance Report identified 7 x instances of exceedances of the PM2.5 24 hr avg criteria and 20 x instances of exceedances of the PM10 24 hr avg criteria. Most of these were attributed by the Project to MPW works (material import activities, including operation of mobile plant and heavy vehicles and the import and handling of tunnel spoil). Correlation to MPE could not be confirmed. Non-compliance: The January, February and March 2021 Monthly Air Quality Monitoring Reports identify exceedances of the PM10 criteria that should be investigated. There was no evidence of any such investigations having been carried out.	NC
G14	Heavy road freight vehicles are not permitted to use Moorebank Avenue south of the East Hills Railway corridor. A main gate monitoring system (e.g. CCTV) shall be installed to identify heavy vehicles turning left from the terminal site onto Moorebank Avenue, or turning right from Moorebank Avenue to the terminal site. The Secretary may at any time request the Applicant to provide a heavy vehicle monitoring report for the prior 12 month period.	Biannual Trip Origin Destination Report (MPE1 and MPE2), Ason, 15/02/21 Interview with auditees 10/05/21 Complaints register to 30/04/21	The Biannual Trip Origin Destination Report confirmed that for the monitoring period no vehicles were observed turning right into the terminal site from Moorebank Avenue and turning left from the terminal site onto Moorebank Avenue. The gate keepers on Moorebank Avenue police this until such time as access to the CCTV servers are completed.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			No complaints regarding this requirement received.	
G15	<p>Within 12 months of the commencement of operation of the project, or as otherwise agreed by the Secretary, the Applicant shall undertake operational noise monitoring to compare actual noise performance of the project against noise performance predicted in the review of noise mitigation measures predicted in documents specified under condition A1 of this approval, and prepare an Operational Noise Report to document this monitoring. The Report shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) noise monitoring to assess compliance with the operational noise levels predicted in documents specified under condition A1 of this approval; b) a review of the operational noise levels in terms of criteria and noise goals established in the NSW Road Noise Policy (EPA, 2011); c) sleep disturbance impacts compared to those determined in Condition E25; d) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which project noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers; e) details of any complaints and enquiries received in relation to operational noise generated by the project between the date of commencement of operation and the date the report was prepared; f) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and proportions; g) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of all feasible and reasonable mitigation measures; and h) identification of additional feasible and reasonable measures to those predicted in the documents specified under condition A1 of this approval, that would be implemented with the objective of meeting the criteria outlined in the NSW Road Noise Policy (EPA, 2011), when these measures would be implemented and how their effectiveness would be measured and reported to the Secretary and the EPA. The Applicant shall provide the Secretary and the EPA with a copy of the Operational Noise Report within 60 days of completing the operational noise monitoring referred to in (a) above or as otherwise agreed by the Secretary. 	<p>Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP).</p> <p>Letter, DPIE to Qube 09/09/19</p> <p>Moorebank Intermodal Terminal DRAFT Annual Noise Review - April 2021, Renzo Tonin, 29/04/21</p>	<p>This condition is addressed within the approved ONVMP, approved on 09/09/19.</p> <p>The Draft Annual Noise Review summarises all monitoring undertaken for the year (including INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements, Warehouse noise monitoring, Rail link noise monitoring at residential receivers, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring, Year 1 rail operations noise monitoring report, Rail link angle of attack (AoA) monitoring, Year 1 rail operations AoA monitoring. It concludes that no exceedances of the planning approval noise limits were measured during Year 1 operations.</p> <p>Non-compliance: According to the dates of monitoring specified within the Draft Annual Noise Review, the Report has not been submitted to the identified stakeholders within 60 days of completion of the monitoring (as required by CoC G15(h)).</p>	NC
Independent environmental audit				
G16	<p>Within 12 months of the commencement of operation, and thereafter at any other stage bi-annually if required by the Secretary, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the SSD. This audit shall:</p> <ul style="list-style-type: none"> a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; b) include consultation with the relevant agencies and local Councils; c) assess the environmental performance of the SSD and assess whether it is complying with the requirements in this approval, and any other relevant approvals (including any assessment, plan or program required under these approvals); d) review the accuracy of predicted environmental outcomes discussed in the documents listed in condition A1 e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and f) recommend measures or actions to improve the environmental performance of the SSD, and/or any strategy, plan or program required under these approvals. <p>Within 60 days of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary and relevant public authorities, together with its response to any recommendations contained in the audit report. The audit report and response to any recommendations shall be published on the Project website.</p>	<p>Moorebank Precinct East Operations Independent Audit Program, WolfPeak, 24/02/20</p> <p>Email, Tactical to WolfPeak, 22/04/21 (commissioning of audit)</p> <p>Letter DPIE to Tactical, 30/03/20 (approval of audit team)</p> <p>Interview with auditees 10/05/21</p> <p>Consultation records (attached to this audit report)</p>	<p>An Audit Program was prepared in 2020 which set out the approach to the Independent Audit for the operational phase of SSD 6766 and SSD 7628.</p> <p>WolfPeak was approved by the Department as the Independent Auditors on 30/03/20.</p> <p>It is understood that operations commenced on 17/05/20. This audit was commissioned on 22/04/21.</p> <p>Consultation was completed with the Department, the EPA, Liverpool Council, and the CCC on 26 – 29/04/21.</p> <p>Submission of this Audit Report occurs following completion of the audit.</p>	C

APPENDIX B – SSD 7628 CONDITIONS OF CONSENT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
ADMINISTRATIVE CONDITIONS				
Obligation to minimise harm to the environment				
A1	In addition to meeting the specific performance measures and criteria established under this consent all reasonable measures must be implemented to prevent, and if prevention is not reasonable, minimise, any harm to the environment that may result from the construction operation of development, and any rehabilitation required under this consent.	<p>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, 27/03/20 (and 19/02/21), SIMTA (the OEMP) and each of the sub-plans identified in CoC C3</p> <p>Warehouse Operational Environmental Management Plans (various) (WOEMP) as identified in CoC C6.</p> <p>Evidence referred to elsewhere in this Audit Table and the Audit Table for SSD 6766</p> <p>Site inspection 10/05/21</p>	<p>Despite several non-compliances having been identified, the Auditor is of the view that all reasonable efforts are being implemented to minimise harm on the environment with regards to operations.</p> <p>There have been no notifiable incidents identified by the project since the commencement of operations.</p>	C
Terms of consent				
A2	<p>The development may be carried out:</p> <ol style="list-style-type: none"> In compliance with the conditions of this consent; In accordance with all written directions of the Secretary in relation to this consent; In accordance with the EIS, Submissions Report, Consolidated assessment clarification responses, and updated Biodiversity Assessment Report; In accordance with the amended Development Layout Plans and Design Plans, amended WSUD plans and amended architectural plans to be submitted for the Secretary’s approval as part of this consent; and In accordance with the management and mitigation measures at APPENDIX B of this consent. 	<p>Evidence referred to elsewhere in this Audit Table.</p> <p>Moorebank Precinct East - Stage 2 Proposal Environmental Impact Statement, Arcadis, December 2016 (the EIS)</p> <p>Moorebank Precinct East - Stage 2 Proposal Response to Submissions – SSD 16_7628, Arcadis, July 2017, and associated materials (the RtS)</p> <p>MPE Stage 2 – Consolidated assessment clarification responses, Arcadis, 10/11/17</p> <p>Moorebank Precinct East - Stage 2 Proposal Biodiversity Assessment Report, Arcadis, November 2017</p> <p>Interim Occupation Certificate No. 19/124520-5 (whole of Warehouse 1), Mckenzie Group, 21/06/19</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400</p>	<p>Whilst some non-compliances were identified, these are assigned as non-compliances against the condition to which they relate and on this basis the Auditor does not consider it appropriate to assign a non-compliance with this condition.</p> <p>No written direction from the Secretary have been received, other than recommendations on the content of management plans under the consent prior to or as part of approval of these documents.</p> <p>The project is being operated in general accordance with the EIS and RtS.</p> <p>The Development Layout Plans and Design Plans, relate to construction. Assessment of whether the development complied with the approved plans was conducted by the Certifier. Confirmation was provided by the Certifier through issue of the Construction Certificates and the Occupation Certificates.</p> <p>The Department conditionally approved the Consolidated Urban Design and Landscape Plan, Cycling and Pedestrian Access and</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/20</p> <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/20</p> <p>Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/20</p> <p>Consolidated Urban Design and Landscape Plan, 18/12/20</p> <p>Cycling and Pedestrian Access and Facilities Sub Plan, 03/11/20</p> <p>Landscape Vegetation Management Sub Plan, 03/11/20</p> <p>Lighting Sub Plan, 03/11/20</p> <p>Employee Outdoor Meal Break Area Sub Plan, 03/11/20</p> <p>Signage Sub Plan, 03/11/20</p> <p>Letter DPIE to Qube, 05/02/21 (conditional approval of Urban Design and Landscape Plans and subordinate plans)</p> <p>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, 27/03/20 (and 19/02/21), SIMTA (the OEMP) and each of the sub-plans identified in CoC C3</p> <p>Warehouse Operational Environmental Management Plans (various) (WOEMP) as identified in CoC C6.</p>	<p>Facilities Sub Plan, Landscape Vegetation Management Sub Plan, Lighting Sub Plan, Employee Outdoor Meal Break Area Sub Plan and the Signage Sub Plan. The approval was conditional on the basis that the UDLP and associated sub-plans were updated prior to the construction of permanent built surface works for each future stage.</p> <p>The OEMP and each of the sub-plans required by the consent, and the WOEMPs, incorporate the management and mitigation measures to which they relate.</p>	
A3	<p>The Secretary may make written directions to the Applicant:</p> <p>a. as a result of the Department’s assessment of any strategy, plan, program, review, audit, notification, report or correspondence submitted under or in relation to this consent;</p>	Letter DPIE to Qube, 21/05/19 (POPD approval)	The Department provided recommendations regarding the content of plans and strategies and regarding publishing the documents online. The relevant documents appear to have been	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>b. as a result of the Department's assessment of any review, report or audit undertaken or commissioned by the Department regarding compliance with this consent or in relation to an incident (whether notified to the Department or not); and</p> <p>c. in relation to the implementation of any actions or measures contained in any of the documents listed in condition A2.</p>	<p>Letter DPIE to Qube, 18/03/20 (MPE S1 and S2 OEMP approval)</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p> <p>Letter DPIE to Qube, 10/05/21 (acknowledgment of updated OEMP and OCCS)</p> <p>Letter DPIE to Qube, 10/08/20 (approval of revised BEEMP)</p> <p>Letter DPIE to Qube, 22/03/21 (approval of Warehouse 3B WOEMP)</p> <p>Letter DPIE to Qube, 21/10/20 (approval of Warehouse 4B WOEMP)</p> <p>Letter DPIE to Qube, 12/01/21 (approval of Warehouse 5 WOEMP)</p> <p>Letter DPIE to Qube, 21/05/21 (approval of Warehouse 4A WOEMP)</p> <p>Letter DPIE to Qube, 03/06/20 (approval of Warehouse 3A WOEMP)</p>	<p>updated in accordance with the directions and ultimately approved, and the documents are publicly available on the SIMTA website.</p>	
A4	<p>The conditions of this consent and directions of the Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict. For the purpose 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 Secretary and a document, if it is not possible to comply with both the condition or direction and the document.</p>	-	<p>This audit assess compliance with the current conditions of consent. No materials conflicts identified.</p>	C
Limits of consent				
A5	<p>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 the date on which the consent would otherwise lapse under section 95 of the EP&A Act.</p>	<p>This consent granted 31/01/18</p> <p>Site inspection 10/05/21</p> <p>Interview with auditees 10/05/21</p>	<p>Consent was granted in 2018. It is understood that the Project commenced operations on 17/05/20.</p> <p>The auditor notes that there is significant complexity around the commencement of operations due to the staging and combining of strategies plans and programs both within and between SSD 6766 and SSD 7628.</p>	C
A6	<p>The total volume of spoil to be imported, including fill required to raise Moorebank Avenue and spoil imported during early works must not exceed 600,000m³.</p>	-	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject</p>	NT

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			to separate audit programs and do not form part of this audit.	
A7	No works are permitted within the Defence Joint Logistics Unit site under this approval.	Site inspection 10/05/21	The boundary fencing was observed. No works were observed beyond the boundary.	C
A8	The container freight road volume must not exceed 250,000 TEUs p.a., subject to the exception identified in condition A9, which may only be considered under condition A9 after the facility has been in operation.	Annual Trip Origin Destination Report (MPE1 and MPE2), Ason, 15/02/21	The Biannual Trip Origin Destination Report (MPE1 and MPE2) identified total movements well below this threshold.	C
A9	The movement of container freight by road may exceed the 250,000 TEU limit p.a. by up to a further 250,000 TEU p.a., if the Secretary is satisfied that traffic monitoring and modelling of the operation of the facility demonstrate that traffic movements resulting from the proposed increase in TEU will achieve the objective of not exceeding the capacity of the transport network.	As above	As above. The threshold has not been exceeded.	NT
A10	In determining the TEU limit, the Secretary may take account any roadworks or mitigation measures proposed under a Voluntary Planning Agreement to minimise traffic impacts.	As above	As above. The threshold has not been exceeded.	NT
A11	The maximum GFAs for the following uses apply: <ul style="list-style-type: none"> a. 300,000m2 for the warehousing and distribution facilities; and b. 8,000m2 for the freight village. 	Interview with auditees 10/05/21 Site inspection 10/05/21	Warehouse 1, 3, 4, 5 total GFA is below 150,000m2. No freight village developed as yet.	C
A12	The warehousing and distribution facilities must only be used for activities associated with freight using the MPE Stage 1 rail intermodal terminal.	Interview with auditees 10/05/21 Site inspection 10/05/21	Non-compliance: The Auditor requested that the auditee provide evidence to demonstrate that the warehouse and distribution facilities are confined to activities associated with freight from the MPE S1 intermodal facility, given that there is significant opportunity for tenants to move freight from and to the road network without the use of MPE S1. The auditee responded by stating without any supporting evidence that: <i>The intermodal issues daily the amount of TEUs to be issued to Tenants.</i> The Auditor does not consider this response to address the requirement.	NC
A13	Freight village tenants and occupations are restricted to those activities that provide: <ul style="list-style-type: none"> 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. <p>Prior to occupancy of any freight village tenancy, and every subsequent occupation of these tenancies, details of the tenant and occupation activity is to be submitted to the Secretary demonstrating that the proposed activity complies with this condition.</p>	Interview with auditees 10/05/21 Site inspection 10/05/21	No freight village developed as yet.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Staged submission of strategies plans or programs				
A14	With the approval of the Secretary, the Applicant may submit any strategy, plan or program required by this consent on a staged basis.	Letter DPIE to Qube, 21/05/19 (POPD approval)	The Department approved the Program for Operational Phase Delivery (POPD) which staged the development and submission of documentation under SSD 6766 and SSD 7628.	C
A15	If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program.	Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, 27/03/20 (and 19/02/21), SIMTA (the OEMP). Letter DPIE to Qube, 18/03/20 (MPE S1 and S2 OEMP approval) Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval) https://simta.com.au/mpe-2/ Letter DPIE to Qube, 10/05/21 (acknowledgment of updated OEMP and OCCS)	The OEMP (Rev 10, 30/07/19) was approved by the Department on 9/09/19 subject to further updates. The updated OEMP (Rev 14, 05/02/20) reflects the progressive operation of the site with the inclusion of Area 2, and was submitted to the Department under condition F4 of SSD 6766 and conditions C3 and B16 of SSD 7628 consistent with the approved staged Program for Operational Phase Delivery (POPD). The Department did not provide any comments on the update. On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site	C
Combined submission of strategies, plans or programs				
A16	With the approval of the Secretary, any strategy, plan or program required by this consent may be combined.	Letter DPIE to Qube, 21/05/19 (Program for Operational Phase Documentation approval) Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, 27/03/20 (and 19/02/21), SIMTA (the OEMP). Letter DPIE to Qube, 18/03/20 (MPE S1 and S2 OEMP approval) Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)	A Program of Operational Phase Documentation (POPD) was prepared which set out the rolling approach to the development and approval of operational requirements, across SSD 7628 and SSD 6766. The POPD was approved by the Department on 21/05/19. The OEMP (Rev 10, 30/07/19) was approved by the Department on 9/09/19 subject to further updates. The updated OEMP (Rev 14, 05/02/20) reflects the progressive operation of the site with the inclusion of Area 2, and was submitted to the Department under condition F4 of SSD 6766 and conditions C3 and B16 of SSD 7628 consistent with the approved staged Program for Operational Phase Delivery (POPD). The	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Letter DPIE to Qube, 10/05/21 (acknowledgment of updated OEMP and OCCS) https://simta.com.au/mpe-2/	Department did not provide any comments on the update. On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site	
A17	In seeking the Secretary's approval, a clear relationship must be demonstrated between the strategies, plans or programs that are proposed to be combined.	As above	As above	C
A18	The date of commencement of each of the following phases of the development must be notified to the Department, at least one month before that date: a. early works; b. fill importation; c. construction; d. operation; and e. occupation. If the construction, operation or occupation of the development is to be staged, then the Applicant must notify the Department in writing at least one month before the commencement of each stage, and clearly identify the development to be carried out in that stage.	Email Tactical to DPIE, 18/06/19 (Area 1 commencement) Letter Tactical to DPIE 21/02/20	On 18/06/19 Tactical notified the intended commencement of operations of Area 1 (including Area 1 warehouse, IMEX and RALP). Actual commencement occurred on 17/05/20. On 21/02/20 Tactical notified intended commencement of Area 2, Warehouse 3-5. Actual commencement of Warehouse 3 occurred in Q4 2020. To note: There is complexity around the actual date of commencement of operations for both SSD 7628 and SSD 6766 due to the approach approved through the POPD. This has implications for requirements which are triggered based on the date of commencement of operations.	C
Evidence of consultation				
A19	Where conditions of this consent require a document to be prepared in consultation with an identified party, the Applicant must: a. consult with the relevant party prior to submitting the subject document to the Secretary for approval; b. provide evidence that at least two weeks was provided for the relevant party to comment on the document; and c. include in the document: i. details of the consultation undertaken; ii. a description of how matters raised by those consulted have been resolved to the satisfaction of both the Applicant and the party consulted; and iii. details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Refer to evidence in relation to A23, A29, B1, B2, B9, B13, B26, B29, B43, B69, B77, B82, B92, B97, B100, B102, B106, B107, B108, B110, B116, B132, B139, B140, B148, C18.	The evidence indicates that for the triggered conditions (B1, B13, B26, B29, B43, B82, B102, B110, B116, C18) consultation was undertaken with sufficient timing. Records were retained and issues were resolved. The auditor notes that consultation with TfNSW re roadworks (B13) is ongoing.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Statutory requirements				
A20	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 the obligation for the Applicant to obtain, renew or comply with such licences, permits, approvals and consents.	Evidence referred to elsewhere in this Audit Table, and the Audit Table of SSD 6766	The evidence indicates that relevant approvals have been obtained.	C
Demolition				
A21	All demolition work must be carried out in accordance with the latest version of <i>Australian Standard AS 2601-2001: The Demolition of Structures</i> (Standards Australia, 2001) and the requirements of the <i>Work Health and Safety Regulation 2011</i> .	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Design masterplans				
A22	Prior to construction, the Applicant must prepare amended Development Layout Plans and Design Plans to the satisfaction of the Secretary which achieve the improvements and revisions referred to in conditions B140 and B141, including integration of Water Sensitive Urban Design (WSUD) and landscape design.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Water sensitive urban design				
A23	Prior to commencement of early works and fill importation, the Applicant must prepare amended WSUD plans that incorporate water sensitive urban design principles, be generally in accordance with relevant Council policies, plans and specifications, and address condition B40, to ensure that: <ul style="list-style-type: none"> a. the stormwater and drainage systems for the development will operate independently of any works proposed as part of the MPW Stage 2 development application (SSD 7709) that have not been incorporated in this development, unless development consent has been granted to those works under SSD 7709 prior to commencement of early works and fill importation; b. adequate overland flow paths have been provided in the event of stormwater system blockages and flows in excess of the 1% ARI rainfall event; c. on site detention basins are visually unobtrusive, d. that the design of the basins, and, associated setbacks and fencing, ensures public safety; e. adequate site area has been provided for stormwater treatment; f. design of stormwater treatment systems minimises the risk of failure; and g. setback of drainage work and fencing has been finalised in consultation with RMS. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Architectural plans				
A24	Prior to commencement of permanent built surface works and/or landscaping, the Applicant must prepare amended architectural plans that reflect updated plans required under the conditions.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject	NT

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			to separate audit programs and do not form part of this audit.	
Access for people with disability				
A25	The siting, design and construction of premises available to the public are to ensure an appropriate level of accessibility so that all people can enter and use these premises. Access is to meet the requirements of the Disability Discrimination Act 1992, relevant Australian Standards and Building Code of Australia (BCA)	<p>Interim Occupation Certificate No. 19/124520-5 (whole of Warehouse 1), Mckenzie Group, 21/06/19</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/20</p> <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/20</p> <p>Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/20</p>	The Certifier has verified that the access requirements for the buildings satisfy the Disability Discrimination Act and BCA as relevant.	C
Structural adequacy				
A26	<p>All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development must be 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>Interim Occupation Certificate No. 19/124520-5 (whole of Warehouse 1), Mckenzie Group, 21/06/19</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/20</p> <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/20</p>	The Certifier has verified that buildings and structures satisfy the BCA as relevant.	C

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		Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/20		
Utilities and services				
A27	Before the construction of any utility works associated with the development, approvals required from service providers must be obtained.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
A28	Prior to operation of the development, a compliance certificate for water and sewerage infrastructure servicing of the site under section 73 of the <i>Sydney Water Act 1994</i> must be obtained.	Section 73 Compliance Certificates, Sydney Water, 18/07/19	The Section 73 certificates were obtained prior to operations.	C
Protection of public infrastructure				
A29	Before the commencement of construction, the Applicant must: <ul style="list-style-type: none"> a. consult with the relevant owner and provider of utility services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection, and support of the affected infrastructure; b. prepare a dilapidation report identifying the condition of all public infrastructure between the M5 and the site and any local roads identified in the Heavy Vehicle Route Plan required under condition B2 (including roads, gutters and footpaths); and c. submit a copy of the dilapidation report to the Secretary and Council. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
A30	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: <ul style="list-style-type: none"> a. repair, or pay the full costs associated with repairing any public infrastructure that is damaged by carrying out the development; and b. relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development. 	<p>st construction dilapidation report, road footpaths, and kerbs, Craigmar, 12/05/19.</p> <p>orebank Ave Dilapidation findings (roads structural damage), Northrop, 11/07/19.</p> <p>orebank Ave Condition F1 Letter, Qube to Tactical, 11/12/19.</p>	e dilapidation reports were prepared for footpaths, roads and kerbs (no buildings and other utilities were in the vicinity). No public infrastructure abuts or is within the site as it is owned by Qube. No repairs required.	NT
Local development contributions				
A31	Prior to the issue of a Construction Certificate, the Applicant must pay a monetary levy of 1% of the development Capital Investment Value (\$3,577,900) or other amount agreed to by Liverpool City Council for transport, drainage, community facilities, administration and professional and legal fees pursuant to section 94B (2) of the EP&A Act 1979.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

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Operation of plant and equipment				
A32	All plant and equipment used at the site or to monitor performance of the development must be: <ol style="list-style-type: none"> a. maintained in a proper and efficient condition; and b. operated in a proper and efficient manner 	Calibration Certificates Airpol, 27/01/21, 25/02/21 Calibration Certificates, Bruel and Kjaer, 12/03/19 Fire protection systems inspections report, 39A437 Cube Logistics Warehouse 5, Flamesafe 10/12/20-28/05/21 Target Fire water pump inspection test records, ForceFire, (monthly records from Sep 2019 to May 2021) Warehouse 3 Fire water pump inspection test records, ForceFire, (monthly records from April 2020 to May 2021) Warehouse 4 Fire water pump inspection test records, ForceFire, (monthly records from April 2020 to May 2021) Caesarstone forklift plant checklist, K24166 and #67 Caesarstone overhead crane checklist, CSA-EH-022a Caesarstone jib and clamp checklists (various)	Records indicate that the plant and equipment on the project are being properly maintained. To note: a request was made for tenants to provide information on maintenance and operation of plant. Not all tenants responded to the request.	C
PART B ENVIRONMENTAL PERFORMANCE AND MANAGEMENT				
B1	The Applicant must: <ol style="list-style-type: none"> a. prepare each plan, program, and other documents in consultation with the specified stakeholders; b. not commence each phase of the project until the plans, programs and other documents required under this consent are approved by or, where not required to be approved, submitted to the Secretary specified within the timeframes; and c. implement the most recent version of the required plans and programs approved by the Secretary for the duration of the development 	Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, 27/03/20 (and 19/02/21), SIMTA (the OEMP). Letter DPIE to Qube, 18/03/20 (MPE S1 and S2 OEMP approval) Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval) https://simta.com.au/mpe-2/	The OEMP and each relevant operational document was prepared in consultation with the identified stakeholders. The OEMP (Rev 10, 30/07/19) was approved by the Department on 9/09/19 subject to further updates. The updated OEMP (Rev 14, 05/02/20) reflects the progressive operation of the site with the inclusion of Area 2, and was submitted to the Department under condition F4 of SSD 6766 and conditions C3 and B16 of SSD 7628 consistent with the approved staged Program for	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Letter DPIE to Qube, 10/05/21 (acknowledgment of updated OEMP and OCCS)</p> <p>Email Tactical to DPIE, 18/06/19 (Area 1 commencement)</p> <p>Letter Tactical to DPIE 21/02/20</p> <p>Evidence referred to elsewhere in this Audit Table and the SSD 6766 Audit Table</p>	<p>Operational Phase Delivery (POPD). The Department did not provide any comments on the update.</p> <p>On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site</p> <p>On 18/06/19 Tactical notified the intended commencement of operations of Area 1 (including Area 1 warehouse, IMEX and RALP). Actual commencement occurred on 17/05/20.</p> <p>On 21/02/20 Tactical notified intended commencement of Area 2, Warehouse 3-5. Actual commencement of Warehouse 3 occurred in Q4 2020.</p> <p>To note: There is complexity around the actual date of commencement of operations for both SSD 7628 and SSD 6766 due to the approach approved through the POPD. This has implications for requirements which are triggered based on the date of commencement of operations.</p>	
Traffic and transport				
B2	<p>Prior to commencement of early works and construction, the Applicant must prepare a Construction Traffic and Access Management Plan (CTMP) to the satisfaction of the Secretary. The Plan must form part of the CEMP required by condition C1 and must:</p> <ol style="list-style-type: none"> a. be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Secretary; b. be prepared in consultation with Council, TfNSW and RMS; c. include details of all transport routes and traffic types to be used for development-related traffic, access and parking arrangements; <ol style="list-style-type: none"> i. include a protocol for undertaking dilapidation surveys to assess the existing condition of the transport routes prior to construction works; and ii. condition of the transport routes following construction works; d. include a protocol for the repair of any roads identified in the dilapidation surveys to have been damaged during construction and demolition works; e. include details of: <ol style="list-style-type: none"> i. staging of construction works; ii. construction vehicle routes; iii. heavy vehicle movements associated with spoil and demolition material transport off-site; iv. construction traffic generation; v. hours of construction; vi. parking for workers; and 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> vii. access arrangements. f. include a Heavy Vehicle Route Plan detailing: <ul style="list-style-type: none"> I. the origin and destination of spoil / fill and demolition material; and II. details of the heavy vehicle routes to and from the site within the Campbelltown and Liverpool Local Government Areas (LGAs). g. include details of the measures to be implemented to minimise traffic safety issues and disruption to local road users including pedestrians / cyclists during construction works, including: <ul style="list-style-type: none"> i. temporary traffic controls, including detours and signage; how two lanes of traffic on Moorebank Avenue will be available at all times during construction (unless otherwise approved by RMS); ii. temporary traffic controls, including detours and signage; iii. notifying the local community about development-related traffic impacts; iv. responding to any emergency repair requirements or maintenance during construction; and v. a traffic management system for managing oversized vehicles. h. include a driver's code of conduct that requires: <ul style="list-style-type: none"> i. compliance with specified travelling speeds; ii. drivers to adhere to specified transport routes, including no access from Cambridge Avenue; and iii. drivers to implement safe driving practices. i. include a program to monitor the effectiveness of these measures; and j. detail procedures for notifying residents and the community (including local schools), of any potential disruptions to transport routes. 			
B3	<p>The Applicant must:</p> <ul style="list-style-type: none"> a. not commence early works or construction until the Construction Traffic Management Plan required by condition B2 is approved by the Secretary; and b. carry out the development in accordance with the most recent version of the Construction Traffic Management Plan approved by the Secretary, 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B4	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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B5	A construction zone will not be permitted on Moorebank Avenue without the express approval of RMS.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B6	All demolition and construction vehicles must be contained wholly within the site and vehicles must enter the site before stopping.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B7	All vehicles are to enter and leave the site in a forward direction.	Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, SIMTA, 15/05/20	This requirement is specified within the approved OTAMP.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Site inspection 10/05/21	The site is set up so that all traffic enters and exits in a forward direction.	
B8	All trucks entering or leaving the site with loads must have their loads covered and must not track dirt onto any public road.	Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, SIMTA, 15/05/20 Site inspection 10/05/21	This requirement is specified within the approved OTAMP. Trucks carrying cargo that is strapped or enclosed are the dominant heavy vehicle movements during operations. These have loads fastened. Waste is generally collected via enclosed garbage trucks. The site is sealed. No material tracking observed.	C
Road safety audit				
B9	<p>Prior to commencement of any importation of site fill, 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 temporary construction access points along Moorebank Avenue, and for motorists and construction vehicle movements along Moorebank Avenue during the staged road upgrade works identified in condition B13.</p> <p>The Road Safety Audit is to 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 during upgrade works on Moorebank Avenue.</p> <p>The Applicant must recommend corrective actions for the identified safety issues and propose appropriate traffic management measures (i.e. temporary traffic signals and other traffic management measures) in consultation and with the approval of the relevant Council, TfNSW and RMS.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Site access and layout design plan				
B10	<p>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.</p> <p>Prior to commencement of construction on permanent infrastructure a plan must be submitted to the Secretary and RMS for approval, which shows that the proposed development complies with this requirement.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B11	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.	<p>Consolidated Urban Design and Landscape Plan, 18/12/20</p> <p>Cycling and Pedestrian Access and Facilities Sub Plan, 03/11/20</p> <p>Landscape Vegetation Management Sub Plan, 03/11/20</p> <p>Lighting Sub Plan, 03/11/20</p>	The Department conditionally approved the Consolidated Urban Design and Landscape Plan, Cycling and Pedestrian Access and Facilities Sub Plan, Landscape Vegetation Management Sub Plan, Lighting Sub Plan, Employee Outdoor Meal Break Area Sub Plan and the Signage Sub Plan. The approval was conditional on the basis that the UDLP and associated sub-plans were updated prior to the	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Employee Outdoor Meal Break Area Sub Plan, 03/11/20</p> <p>Signage Sub Plan, 03/11/20</p> <p>Letter DPIE to Qube, 05/02/21 (conditional approval of Urban Design and Landscape Plans and subordinate plans)</p> <p>Interim Occupation Certificate No. 19/124520-5 (whole of Warehouse 1), Mckenzie Group, 21/06/19</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/20</p> <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/20</p> <p>Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/20</p>	<p>construction of permanent built surface works for each future stage.</p> <p>The Certifier has verified that the layout of car parking areas for each warehouse align with design.</p>	
B12	<p>The development is to be designed 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. all loading and unloading of materials is carried out on-site; and d. site roads accommodate buses, bus infrastructure and cyclist use for employees. 	<p>As above</p> <p>Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, SIMTA, 26/03/20 and 15/05/20</p> <p>Site inspection 10/05/21</p>	<p>Design is verified through the UDLP and the issue of Construction Certificates (outside this audit scope) and Occupation Certificates.</p> <p>This requirement is specified within the approved OTAMP.</p> <p>Adequate parking and loading infrastructure and internal roadways were observed during the site inspection.</p>	C
Road infrastructure upgrades				
B13	<p>The Applicant is to undertake the following upgrades, in accordance with the specified timing requirements, as set out in Table 1.</p>	<p>Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, SIMTA, 26/03/20 and 15/05/20</p>	<p>This requirement is specified within the approved OTAMP. The OTAMP identifies these deliverables as 'ongoing'.</p> <p>Non-compliance: 100% design approval for each road upgrade has not been obtained</p>	NC

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status																							
	<p>Table 1: Required Upgrades and Specified Timing Requirements</p> <table border="1"> <thead> <tr> <th rowspan="2">Upgrade</th> <th colspan="3">Specified Timing Requirements</th> </tr> <tr> <th>Upgrade requirements</th> <th>Required timing for 100% design approval by RMS</th> <th>Required timing for completion of upgrade</th> </tr> </thead> <tbody> <tr> <td>Moorebank Avenue / M5 Motorway intersection</td> <td> <ul style="list-style-type: none"> Indicative layout to be provided by Applicant, subject to design development and approval by RMS </td> <td>To be obtained prior to the issue of the first Occupation Certificate for warehousing</td> <td>Prior to issue of the first Occupation Certificate for warehousing in excess of 100,000m², or no later than December 2020, or a later date as agreed with the Secretary of Transport for NSW</td> </tr> <tr> <td>Newbridge Road / Moorebank Avenue intersection</td> <td> <ul style="list-style-type: none"> Indicative layout to be provided by Applicant, subject to design development and approval by RMS </td> <td>To be obtained prior to the issue of the first Occupation Certificate for warehousing</td> <td>By December 2022</td> </tr> <tr> <td>Moorebank Avenue / Heathcote Road intersection</td> <td> <ul style="list-style-type: none"> As strategically described for intersection I-5 Moorebank/Heathcote Road (page 76, MPE Stage 2 EIS Operational Traffic and Transport Impact Assessment) Heathcote Road bus jump lane must be <i>retained</i> or a bus jump lane of equivalent length replaced by the Applicant. 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The auditee provided the following response: <i>Detailed design and consultation with TfNSW for the required upgrades is in progress and approved for the Moorebank Avenue upgrade works.</i></p> <p><i>The MPE Stage 2 Modification 1 application (SSD7628_MOD1), sought to alter the timing requirements for 100% design approval and delivery for the upgrades to align with the timing of the actual impact more closely to the local network they are required to mitigate, was lodged in January 2019.</i></p> <p><i>This is not considered to be a non-compliance against the requirements of this condition as the Applicant has undertaken all reasonable measures to enable compliance. By the nature of this condition the ability to achieve compliance is dependent on a third-party regulatory body, TfNSW (incorporating RMS) and the Applicant does not accept responsibility for TfNSW's inability to finalise its review of the MPE Stage 2 Modification 1 application despite the application being lodged in January 2019 in consultation with TfNSW and RMS, and draft conditions of approval being issued by DPIE.</i></p> <p><i>The approval of this Modification is still ongoing.</i></p> <p>The Auditor considers this to be a non-compliance until such time as Modification 1 is approved, or design is approved.</p>	
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B14	A Works Authorisation Deed(s) (WAD) with RMS is to be executed by the Applicant for the infrastructure listed in condition B13 prior to the issue of the first Occupation Certificate for warehousing.	2018/9696 Moorebank Avenue, Moorebank Voluntary Planning Agreement	WAD was executed in September 2019 as part of the 2018/9696 Moorebank Avenue, Moorebank Voluntary Planning Agreement	C																							
B15	Traffic Control Signal (TCS) plans must be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner. The designs submitted to RMS must be in accordance with Austroads Guide to Road Design in association with relevant RMS supplements (available on www.rms.nsw.gov.au).	Refer response to CoC B13	<p>These works have yet to commence.</p> <p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject</p>	NT																							

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			to separate audit programs and do not form part of this audit.	
B16	RMS fees for administration, plan checking, civil works inspections and project management must be paid by the Applicant prior to the commencement of works. The Applicant may be required to dedicate land for the maintenance of the traffic control lights. Further details will be included in the WAD process.	Refer response to CoC B13	These works have yet to commence.	NT
B17	The proposed road upgrade, road raising and widening works by the Applicant along Moorebank Avenue must be designed to meet RMS requirements, and endorsed by a suitably qualified person(s). The design requirements must be in accordance with Austroads guidelines and other Australian Codes of Practice.	Refer response to CoC B13	These works have yet to commence.	NT
B18	The works associated with traffic lights and road upgrade works detailed in condition B13 are to be designed and delivered at no cost to TfNSW or RMS unless otherwise agreed by TfNSW and RMS.	Refer response to CoC B13	These works have yet to commence.	NT
B19	The Applicant is responsible for all works required by public utility adjustment/relocation works necessitated by the road infrastructure upgrade works and as required by the various public utility authorities and/or their agents.	Refer response to CoC B13	These works have yet to commence.	NT
B20	All works/ regulatory signposting associated with the road infrastructure upgrades must be approved by RMS.	Refer response to CoC B13	These works have yet to commence.	NT
Moorebank Avenue public road dedication				
B21	The Applicant is to procure the dedication as public road under the Roads Act 1993 of part of the existing Moorebank Avenue (i.e. part of Lot 2 DP 1197707) and any associated land required for the road widening or upgrades between the southern boundary of the Defence Joint Logistics Unit site (Lot 3 DP 1197707) and Anzac Avenue.	Refer response to CoC B13	These works have yet to commence. This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B22	The Applicant is to procure the dedication as "temporary public road" under the Roads Act 1993 of the balance of the existing Moorebank Avenue (and any associated land required for the road widening or upgrades) that is owned by the Commonwealth and is not required to be dedicated under condition B21.	Refer response to CoC B13	These works have yet to commence. This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B23	The Moorebank Avenue road dedications required by conditions B21 and B22 must occur prior to the first Construction Certificate for any road works on Moorebank Avenue, unless otherwise agreed by the Secretary of Transport for NSW.	Refer response to CoC B13	These works have yet to commence. This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B24	The Applicant must pay all costs incurred by Council and/or RMS in relation to conditions B21 and B22.	Refer response to CoC B13	These works have yet to commence.	NT

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			This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	
Operating traffic				
B25	<p>The Applicant must ensure:</p> <ol style="list-style-type: none"> internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004) and AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002); the final configuration of the internal road network is established and available for use prior to occupation of the freight village or any warehousing; the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant Austroads guidelines; the development does not result in any vehicles queuing on the public road network; heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site; all vehicles are wholly contained on site before being required to stop; all loading and unloading of materials is carried out on-site; all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto any public road; and the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times. 	<p>Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, SIMTA, 26/03/20 and 15/05/20</p> <p>Letter DPIE to Qube, 06/12/19</p> <p>Interim Occupation Certificate No. 19/124520-5 (whole of Warehouse 1), Mckenzie Group, 21/06/19</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/20</p> <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/20</p> <p>Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/20</p> <p>Site inspection 10/05/21</p>	<p>The OTAMP was prepared to address requirements a – l of this condition. The Department approved the OTAMP on 06/12/19. These are monitored through site security.</p> <p>Refer also response to CoC B7, B8, B11 and B12.</p> <p>The Certifier has verified that the layout of car parking areas and internal roadways for each warehouse align with design and the relevant standards. The verification included review of master drawings and swept path analyses.</p> <p>During the inspection the auditor observed internal roadways, parking, loading and loading areas to be adequate for the works being carried out. No parking, queuing, loading or unloading was observed outside of the site. Vehicles enter and exit in a forward direction.</p> <p>Trucks carrying cargo that is strapped or enclosed are the dominant heavy vehicle movements during operations. These have loads fastened. Waste is generally collected via enclosed garbage trucks.</p> <p>The site is sealed. No material tracking observed.</p>	C
B26	<p>The Applicant must prepare an Operational Traffic and Access Management Plan to the satisfaction of the Secretary. The Plan is to be developed in consultation with the relevant Council, TfNSW and RMS. The plan must be approved by the Secretary prior to the commencement of operation.</p> <p>The Plan must be prepared by a suitably qualified and experienced person(s), and must:</p> <ol style="list-style-type: none"> demonstrate how the development will be managed during operation to meet the requirements of this development consent; detail numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation; detail access arrangements for the site to ensure road and site safety, and demonstrate there will be no queuing on the road network; detail measures to ensure turning areas and internal access roads are kept clear of any obstacles, including parked cars, at all times; 	<p>Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, SIMTA, 26/03/20 and 15/05/20</p> <p>Letter DPIE to Qube, 06/12/19 (OTAMP approval)</p> <p>Letter DPIE to Qube, 28/04/20 (approval of staged OTAMP and WTP)</p>	<p>OTAMP prepared to meet requirements a – h of this condition. The Department initially approved the OTAMP on 06/12/19 subject to updates being made. The OTAMPs development is staged, and it was updated and subsequently approved on 28/04/20.</p> <p>In the Department's 28/04/20 approval letter they noted that the Environmental Representative, in their endorsement letter dated 2/04/20, requested confirmation that manoeuvrability of the longest vehicles through</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> e. set out procedures for collecting the information required to prepare the Biannual Trip Origin and Destination Report required under condition B28; f. incorporate the Workplace Travel Plan as required under condition B29; g. include a driver's code of conduct that requires: <ul style="list-style-type: none"> i. compliance with specified travelling speeds; ii. drivers to adhere to specified transport routes including no access from Cambridge Avenue; and iii. drivers to implement safe driving practices. h. include a program to monitor the effectiveness of these measures. 	Letter ER to Tactical, 19/05/20 (ER endorsement of residual matters in the OTAMP)	the site is in accordance with Austroad Guidelines. At the time of the OTAMPs 28/04/20 approval, this matter was still outstanding. The Department required that SIMTA provide the ER with the required information to close out this matter, and update the OTAMP accordingly. This matter was resolved on 19/05/20.	
B27	The Operational Traffic and Access Management Plan required by condition B26 must be implemented by the Applicant for the duration of operations.	<p>Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, SIMTA, 26/03/20 and 15/05/20</p> <p>Biannual Trip Origin Destination Report (MPE1 and MPE2), Ason, 15/02/21</p> <p>Site inspection 10/05/21</p> <p>Interview with auditees 10/05/21</p> <p>Complaints register current to 31/05/21</p>	<p>Refer response to CoC B7, B8, B11, B12, B25.</p> <p>The Certifier has verified that the layout of car parking areas and internal roadways for each warehouse align with design and the relevant standards. The verification included review of master drawings and swept path analyses.</p> <p>During the inspection the auditor observed internal roadways, parking, loading and loading areas to be adequate for the works being carried out. No parking, queuing, loading or unloading was observed outside of the site. Vehicles enter and exit in a forward direction.</p> <p>Trucks carrying cargo that is strapped or enclosed are the dominant heavy vehicle movements during operations. These have loads fastened. Waste is generally collected via enclosed garbage trucks.</p> <p>The site is sealed. No material tracking observed.</p> <p>It is understood that a Vehicle Booking System is in place. Site security was observed on the day of the inspection.</p> <p>The BTODR verifies truck routes are being monitored and these align with the approved routes.</p> <p>No complaints regarding requirements from the OTAMP have been recorded during the audit period.</p>	C
B28	<p>The Applicant is to prepare a Biannual Trip Origin and Destination Report each six months following commencement of any operation (in a format agreed with TfNSW and RMS) that advises:</p> <ul style="list-style-type: none"> a. the number of actual and standard twenty-foot equivalent shipping containers despatched and received during the period; b. the number of days in the period that the truck gate was open for despatching trucks 24 hours a day, 7 days a week and detail any exceptions to this and advise actual hours of operation; 	MPE Biannual Trip Origin Destination Report Framework, Arcadis, 17/09/19 (including consultation records)	The framework was prepared in consultation with RMS and TfNSW and finalised well before commencement of operation. The framework was incorporated into table 4-2 of the OTAMP, which was approved by the Department in	NC

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>c. records of vehicle numbers accessing the site; and d. representative vehicle origins and destinations, based on a cordon in the surrounding network.</p> <p>A framework for recording and reporting on the data required for the report, prepared to the satisfaction of TfNSW and RMS, is to be submitted to the Secretary three months prior to the commencement of operation.</p> <p>The report is to be submitted within one month of its preparation throughout operation of the project, starting six months from the commencement of operation, unless otherwise agreed by the Secretary, TfNSW and RMS.</p> <p>The cordon count at (d) above will:</p> <ul style="list-style-type: none"> • apply to all classes of vehicles; and • cover the intermodal terminal, the warehousing facility and any other uses such as the freight village. 	<p>Biannual Trip Origin Destination Report (MPE1 and MPE2), Ason, 15/02/21</p> <p>DPIE post approval portal lodgement 24/02/21</p>	<p>December 2019. Operations commenced on 17/05/20.</p> <p>The Biannual Trip Origin Destination Report Item a) is addressed section 2. Item b) is presented in Section 3 Item c) is presented in Section 4 Item d) is presented in Section 5.</p> <p>Non-compliance: Operations commenced on 17/05/20. The first 6-monthly report was finalised on 15/02/21 and submitted on 24/02/21 (more than 6 months after the commencement of operations).</p>	
Workplace travel plan				
B29	<p>Prior to the issue of any Occupation Certificate, the Applicant must prepare a Workplace Travel Plan to the satisfaction of the Secretary.</p> <p>The Workplace Travel Plan must form part of the Operational Traffic and Access Management Plan required by condition C3, and must:</p> <ol style="list-style-type: none"> be prepared in consultation with TfNSW; outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; describe pedestrian and bicycle connections and linkages to and from the site from Moorebank Avenue and within the site including between warehouses and the freight village; describe end of trip facilities available on-site which must include under cover bike storage, showers and change facilities - the layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities; and include the results of negotiations with the relevant agencies/ authorities as required to facilitate the staged delivery of the public transport infrastructure including: <ol style="list-style-type: none"> construction of a covered bus drop off/ pick up facility within the site to encourage the use of buses for employees; review and rationalisation of the locations of Route 901 bus stops in the vicinity of the site to match the proposed northern terminal entry location and enhance accessibility; peak period and SIMTA 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; 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; potential to extend the Route 901 bus through the site via the light vehicle road and increasing peak period bus service frequencies to better match the needs of existing and future employees of the locality with frequency dependent on the extent of development of the site; and changes to existing bus stop locations and the identification of new bus stop locations if required; and include provision of annual reporting of employee numbers to DP&E, Transport for NSW and RMS for a period 	<p>Workplace Travel Plan, SIMTA, 13/11/19 and 26/03/20 (the WTP)</p> <p>Letter DPIE to Qube, 06/12/19 (Initial conditional approval of OTAMP and WTP)</p> <p>Letter DPIE to Qube, 28/04/20 (approval of staged OTAMP and WTP)</p>	<p>The WTP was prepared to satisfy requirement a-f of this condition. The Department initially approved the WTP on 06/12/19 subject to certain updates being addressed. The WTPs development is staged, and it was updated and subsequently approved on 28/04/20.</p> <p>Observation: In the Department's 28/04/20 approval letter they recommend that SIMTA continue to liaise with Transport for NSW to facilitate the successful implementation of the WTP across the precinct. It is unclear how this is being fulfilled.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	commencing one year from commencement of operation up to and including 5 years from occupation of final building.			
B30	The Applicant must ensure that the Workplace Travel Plan is implemented for the life of the development.	<p>Workplace Travel Plan, SIMTA, 13/11/19 and 26/03/20 (the WTP)</p> <p>Warehouse Operational Environmental Management Plans (various) (WOEMP) as identified in CoC C6.</p> <p>Cycling and Pedestrian Access and Facilities Sub Plan, 03/11/20</p> <p>Site inspection 10/05/21</p>	Observation: Whilst signage, access and end of trip facilities have been constructed / implemented, there are a number of initiatives from within the Workplace travel Plan that rely on tenants and Transport for NSW carrying out certain actions. These include (but are not limited to) completion of feasibility studies and annual reviews on public transport and shuttle bus demand etc, communications on sustainable transport options, implementation and review of Transport Action Guides, walking and cycling buddy systems. The initiatives that relate to tenant activities are not addressed or only barely addressed in the approved tenant Warehouse OEMPs. Initiatives relying on Transport for NSW are subject to ongoing consultation.	C
Concrete batching plant				
B31	<p>The applicant must prepare a Concrete Batching Plant Management Plan to the satisfaction of the Secretary. The plan must be approved by the Secretary prior to the establishment of Concrete Batching Plant and form part of the CEMP required by condition C1.</p> <p>The Plan must be prepared by a suitably qualified and experienced person(s) and detail the establishment and operation of the Plant including:</p> <ol style="list-style-type: none"> demonstrate how the development will be managed during construction to meet the requirements of this development consent; a description of the works proposed to be undertaken; a description of the plant, equipment and materials to be used and/or stored on each site, including dangerous and hazardous goods; a summary of the potential environmental impacts associated with the establishment and operation of the facility; details of the mitigation, monitoring and management procedures specific to the plant that would be implemented to minimise environmental and amenity impacts during both site establishment and operation; include a program to monitor the effectiveness of these measures; details of how waste is to be managed in association with the operation of the Plant; detail any licenses required to discharge waste from the plant; and mechanisms for the monitoring, review and amendment of the Ancillary Facilities Management Plan. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
SOILS. WATER QUALITY AND HYRDOLOGY				
Geotechnical				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B32	A Site-Specific Earthworks Specification must be prepared by a suitably qualified and experienced person(s) in accordance with the Geotechnical Interpretive Report prepared by Golder Associates, dated 11 November 2016.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B33	Prior to construction of permanent built works, a geotechnical engineer must prepare a works-as-executed report detailing encountered geotechnical conditions and how residual geotechnical constraints can be accommodated within the structural designs for the development. The structural design must be confirmed or amended by the structural engineer based on the works-as-executed geotechnical report.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B34	<p>Prior to early works, fill importation or any other surface disturbance, the Applicant must prepare a Soil and Water Management Plan (SWMP) to the satisfaction of the Secretary. The plan must form part of the CEMP required by condition C1 and must include:</p> <ul style="list-style-type: none"> a. measures to verify the properties of fill imported to the site (see condition (b)); b. plans showing limits of clearing, filling and other earthworks and vegetation to be retained and protected; c. plans showing temporary access points and haul roads within the site for fill stockpiling and placement; d. plans showing the location of stockpiled fill and other materials and storage areas (see condition (c)); e. an Erosion and Sediment Control Plan (see condition B40); f. measures to minimise dust, erosion and prevent migration of soil off site and migration into constructed and natural drainage lines (see condition B39); g. details on design and maintenance of temporary stormwater drainage infrastructure including sediment basins and temporary diversion channels around temporary work obstructions to allow low and normal flows to safely bypass the work areas and to separate clean and dirty water flows (see condition B39); h. details of existing stormwater infrastructure to be retained, including upgrades to meet design criteria, and design and maintenance of proposed new infrastructure (see condition B40); i. evidence that legal agreement has been obtained: <ul style="list-style-type: none"> i. to discharge stormwater through adjacent sites; ii. for any necessary upgrade works to be constructed; iii. for undertaking maintenance activities; iv. use of OSD basins on other sites, such as the MPW site, for this development; and v. evidence that an easement has been obtained or is currently in place to discharge and detain water through adjacent sites; j. evidence that a drainage easement is in place to discharge stormwater through the MPW site, and to provide OSD basins within the MPW site, for this development, and that drainage infrastructure within the MPW site to the Georges River has been repaired or upgraded to the satisfaction of the Secretary prior to completion of construction of the temporary MPE Stage 2 sediment basins. k. confirmation that the stormwater drainage systems in adjacent sites are designed, or can be upgraded to accept flows from the MPE site, including provision of scour protection at discharge points; l. demonstrate no impact on Anzac Creek flood levels or flood extents due to filling of the MPE site; m. demonstrate no change to stormwater flows directly entering proposed biodiversity offset areas; n. demonstrate no deterioration in the quality of stormwater discharged from the site into proposed biodiversity offset 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>areas; and</p> <p>o. demonstrate that stormwater leaving the site meets the design water flow and water quality criteria (see condition B44 water quality monitoring).</p>			
Spoil Management				
B35	The Applicant must ensure that only VENM or ENM, or other material approved in writing by EPA is brought onto the site.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B36	<p>Prior to the commencement of importation of spoil, the Applicant must prepare a Spoil Management Plan to the satisfaction of the Secretary. The Spoil Management Plan must incorporate detailed information on the handling and transport of spoil, including stock pile management. The Spoil Management Plan must be approved by a NSW EPA Accredited Site Auditor prior to submission to the Secretary, to ensure that imported material will be assessed including with regard to the waste classification and site suitability. The Spoil Management Plan is to be prepared separate to, but consistent with the CEMP required by conditions C1 and must:</p> <p>a. be prepared by a suitably qualified and experienced person(s);</p> <p>b. include:</p> <ul style="list-style-type: none"> i. a protocol for recording the volume, type and source of fill imported to site and vehicle registrations on a daily basis; ii. quality assurance and quality control measures to ensure compliance with condition B35; iii. a protocol for dealing with unexpected finds including material contamination; and iv. independent auditing by a suitably qualified and experienced specialist; and <p>c. be consistent with Volume 1 of Managing Urban Stormwater: Soils and Construction ('the Blue Book') (Landcom 2004) and include:</p> <ul style="list-style-type: none"> i. Details on and the location of fill sorting, crushing and stockpiling; ii. Plans and details on the progressive formation of stockpiles, placement and stabilisation of placed fill; iii. Stockpiles not to exceed 10m in height with stockpiles over 4m in height to be benched, with maximum of 1V:3H slopes; iv. Monitoring of stockpile moisture content and stockpile watering; v. Stabilisation of stockpiles if not worked on for more than 10 days; and vi. Stabilisation of placed fill if construction does not commence within 10 days. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B37	The handling of spoil during construction of the development is to be conducted in accordance with the Spoil Management Plan.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			to separate audit programs and do not form part of this audit.	
B38	Permanent fill batters to adjacent lands to be a maximum of 1V:4H and details to be provided on methods of slope stabilisation.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Erosion and Sediment Control Plan				
B39	<p>Prior to commencement of early works and fill importation the Erosion and Sediment Control Plan required as part of the Soil and Water Management Plan must:</p> <ul style="list-style-type: none"> a. be prepared by a suitably qualified person; b. be prepared in accordance with Volume 1 of Managing Urban Stormwater: Soils and Construction ('the Blue Book') (Landcom 2004), Managing Urban Stormwater: Soils and Construction – Installation of Services, Volume 2A (OEH 2008) and Managing Urban Stormwater: Soils and Construction – Main Road Construction, Volume 2D (OEH 2008). The plan must consider likely stages of the works and provide for appropriate control of sediment and erosion for each stage. The plan must show: <ul style="list-style-type: none"> i. location and extent of all necessary sediment and erosion control measures for the site; ii. catchment plan; iii. sediment basin(s) locations including details showing how runoff from the entire site will be directed to the sediment basin(s); iv. all relevant details and calculations of the sediment basins including sizes, depths, flocculation, outlet design, all relevant sections, pump out systems, and depths; v. all details of basement and other excavation pump out and dewatering treatment systems including flocculation and any proposed discharge from the site from dewatering and pump out systems; vi. identification and management of any stormwater run-on to the site from adjacent sites; vii. location of any temporary stockpiles (soil, spoil, top soil or otherwise) and accompanying sediment and erosion control measures; viii. location and details of all vehicle wash down bays and associated erosion and sediment control measures such as earthen bunds; and ix. a daily and weekly site inspection checklist consistent with International Erosion Control Association Best Practice Erosion and Sediment Control documents. c. be implemented prior to commencement of early works, fill importation and construction (and any substages of these phases) and be updated as relevant to changing early works; fill importation, stockpiling and placement, and construction activities. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Stormwater Management Plan				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B40	<p>Prior to commencement of early works and fill importation, an amended Stormwater Management Plan must be submitted and approved by the Secretary. The plans must be prepared by a suitably qualified person, and independently reviewed, to ensure it meets the following criteria for:</p> <p>a. Drainage:</p> <ol style="list-style-type: none"> i. convey flows from low order events (up to and including the 10% AEP event from the main part of the site within the formal drainage system, with flows from rarer events (up to the 1% AEP event) conveyed in controlled overland flow paths; ii. show the location and width of controlled overland flow paths; and iii. provide levels to AHD confirming building floor levels are a minimum of 150 mm above the maximum design flow path levels. <p>b. Water Sensitive Urban Design:</p> <ol style="list-style-type: none"> i. incorporate water sensitive urban design principles, be generally in accordance with relevant Council policies, plans and specifications ii. ensure that adequate overland flow paths have been provided in the event of stormwater system blockages and flows in excess of the 1% ARI rainfall event; iii. ensure on site detention basins are visually unobtrusive and ensure public safety; iv. ensure rainwater harvesting is provided for each warehouse; v. ensure adequate site area has been provided for stormwater treatment; vi. ensure design of stormwater treatment systems minimises the risk of failure; and vii. develop concept options for how 20% of the average annual volume of stormwater from the site can be reused via rainwater capture and reuse for activities including but not limited to: <ul style="list-style-type: none"> • irrigation, • all internal non-potable uses, • washdown, • cooling towers, • heating, ventilation, and air conditioning, and • ground source heat exchange. <p>The Applicant is to brief the Department on how these initiatives will be implemented prior to the completion of the Stormwater Management Plan.</p> <p>c. Water quantity:</p> <ol style="list-style-type: none"> i. on site detention is to be provided to attenuate peak flows from the development such that both the: <ul style="list-style-type: none"> • 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 • 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; ii. no new drainage infrastructure work within the Defence Joint Logistics Unit (DJLU) site; iii. all on site detention basins to have maximum batter slopes of 1V:4H or, for works immediately adjacent to the Moorebank Avenue upgrade, an alternate slope gradient agreed to by RMS; 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> iv. siting and design of on-site detention basins to eliminate/ minimise excavation within the southern ordinance burial pits; and v. maintenance access to be provided to each on site detention basin. <p>d. Connection to natural creeklines:</p> <ul style="list-style-type: none"> i. on site detention basin outlets to natural drainage lines must be constructed of natural materials to facilitate natural geomorphic processes and to include vegetation as necessary (gabion baskets and gabion mattresses are not acceptable). <p>e. Stormwater Quality</p> <ul style="list-style-type: none"> i. have a stormwater quality treatment train comprised of 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"> • reduce the average annual load of total nitrogen by 45%; • reduce the average annual load of total phosphorus by 65%; and • reduce the average annual load of total suspended solids by 85%. ii. all stormwater quality elements are to be modelled in MUSIC as per the NSW MUSIC Modelling Guide. iii. all stormwater quality elements are to be installed upstream of stormwater detention basins, unless it can be demonstrated that biofiltration/ bioretention systems within the OSD basins will not suffer damage from design flows and can be maintained to achieve the water quality criteria. iv. 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. v. bioretention systems which are greater than 1,000m2 in area, are to be divided into cells with no individual cell greater than 1,000m2. vi. all filter media used in stormwater treatment measures must: <ul style="list-style-type: none"> • 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; • have a hydraulic conductivity = 100-300 mm/hr, as measured using the ASTM F1815-06 method • have an organic matter content less than 5% (w/w) • be provided adequate solar access, considering the design and orientation of OSD basins. <p>A copy of the independent review must be submitted with the Plan. A statement from the reviewer confirming their independence and declaring any actual, potential or perceived conflicts of interest must be provided as part of the reporting of the findings and recommendations of the review.</p>			
B41	<p>Notwithstanding condition B40, the Stormwater Management Plan does not require the Secretary to approve drainage works that would be designed, approved by RMS, and delivered, in accordance with condition B13. However, the Stormwater Management Plan must:</p> <ul style="list-style-type: none"> a. include confirmation that any such works are proposed to be designed and delivered in accordance with condition B13; and b. incorporate, and be designed in consideration of, preliminary principles for that road drainage. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B42	The amended numerical models are to be submitted to the Secretary with the Stormwater Management Plan.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Water quality monitoring plan				
B43	A Stormwater Monitoring Program must be prepared in consultation with Council and OEH prior to operation and must be implemented for 5 years following completion of construction to monitor performance of the stormwater treatment system. The Stormwater Monitoring Program must form part of the Biodiversity Monitoring Strategy required by condition B106, prepared with reference to Using the ANZECC Guidelines and Water Quality Objectives in NSW (DEC, 2006).	Stormwater Network Water Quality Monitoring Data and Reporting, Apical, October 2020, April 2021 Biodiversity Monitoring Report, Anzac Creek, Spring 2020, Bioanalysis, 05/03/21	The Spring 2020 Biodiversity Monitoring Report concluded that there were no changes to indicator variables that could be attributed to Project works and therefore in accordance with the Biodiversity Monitoring Strategy no adaptive management is required. The Autumn Biodiversity Monitoring Report is pending.	C
B44	The Stormwater Monitoring Program must: <ul style="list-style-type: none"> a. 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 b. include sampling locations and the frequency of sampling including wet weather sampling. 	Stormwater Infrastructure Operation and Maintenance Plan Moorebank Logistics Park – East Precinct, 26/03/20, SIMTA (the SIOMP) Stormwater Network Water Quality Monitoring Data and Reporting, Apical, October 2020, April 2021 Biodiversity Monitoring Report, Anzac Creek, Spring 2020, Bioanalysis, 05/03/21	The Spring 2020 Biodiversity Monitoring Report concluded that there were no changes to indicator variables that could be attributed to Project works and therefore in accordance with the Biodiversity Monitoring Strategy no adaptive management is required. The Autumn Biodiversity Monitoring Report is pending.	C
Stormwater infrastructure operation and maintenance plan				
B45	Conversion of any construction stage sediment and erosion control measures into permanent stormwater quality treatment elements must only occur once the civil works (roads and drainage) have been completed for the site to ensure the treatment measure is not compromised by sediment runoff.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B46	All permanent stormwater infrastructure must be constructed in accordance with the Stormwater Management Plan approved by the Secretary and properly maintained on an ongoing basis.	Stormwater Infrastructure Operation and Maintenance Plan, SIMTA, 26/03/20 Letter DPIE to Qube, 09/09/19 (approval of OEMP [C3], SIOMP [C3/B49], OAQMP [C3/B59], HIP [C3/B101], ONVMP [C3/b83], OFFMP	The Stormwater Infrastructure Operation and Maintenance Plan covers this requirement. The Plan was initially approved by the Department on 09/09/19. On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>[C3/B110], OWRMP [C3/B120], OSDI [B82])</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p> <p>Moorebank Precinct East – Stage 2 WSUD Independent Audit, Sustainability Workshop, June 2021.</p>	<p>and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site</p> <p>The stormwater audit conducted in accordance with CoC B51 found that Annual Independent Audit was completed by Mark Liebman, CPEng, MIAust. Mark has over 20 years water quality management experience. He co-authored the design guides, notably the Blacktown City Council Water Sensitive Urban Design Standard Drawings which were used as reference guides for the design of the MPE Stage 2 site.</p> <p>The audit assessed the items listed and found that the systems are being cleaned and maintained so they remain functional.</p>	
B47	Written signoff from the design engineer(s) responsible for the construction drawings is to be provided to the Secretary certifying that the system has been constructed in accordance with the construction drawings or, where modified, this has not adversely affected the performance of the system.	-	Non-compliance: The Auditor requested evidence be provided to demonstrate that systems had been constructed as designed. This evidence was not provided by the auditee, nor was evidence of this information having been submitted to the Department.	NC
B48	Left blank			NT
B49	<p>Prior to 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 Secretary. The plan must form part of the OEMP required under condition C3 and must be implemented for the life of the assets and include:</p> <ol style="list-style-type: none"> the entity responsible for management and maintenance of the assets, including evidence that a maintenance contract is in place with a reputable and experienced maintenance contractor; quarterly inspections, and inspections after major rainfall events; schedule for routine checking, cleaning and servicing of all devices/ systems in accordance with the manufacturer's and/or designer's recommendations; records of all maintenance activities undertaken; quarterly maintenance reports, detailing the results of quarterly inspections, inspections after major rainfall events, and maintenance activities; results of water quality monitoring; investigation, management and mitigation of water quality target exceedances; annual independent auditing; and provision for submission of the quarterly maintenance reports and annual independent audit reports to the Secretary, including the results of inspections, management and maintenance actions and water quality monitoring. 	<p>Stormwater Infrastructure Operation and Maintenance Plan Moorebank Logistics Park – East Precinct, 26/03/20, SIMTA (the SIOMP)</p> <p>Letter DPIE to Qube, 09/09/19 (approval of OEMP [C3], SIOMP [C3/B49], OAQMP [C3/B59], HIP [C3/B101], ONVMP [C3/b83], OFFMP [C3/B110], OWRMP [C3/B120], OSDI [B82])</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p>	<p>The Stormwater Infrastructure Operation and Maintenance Plan covers requirements a-l of this condition. The Plan was initially approved by the Department on 09/09/19.</p> <p>On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B50	Assets to be managed under the Stormwater Infrastructure Operation and Maintenance Plan must include the channel through the MPW site to the Georges River unless the maintenance of this infrastructure is included in an operational environmental management plan approved by the Secretary for the MPW site.	<p>Stormwater Infrastructure Operation and Maintenance Plan Moorebank Logistics Park – East Precinct, 26/03/20, SIMTA (the SIOMP)</p> <p>Letter DPIE to Qube, 09/09/19 (approval of OEMP [C3], SIOMP [C3/B49], OAQMP [C3/B59], HIP [C3/B101], ONVMP [C3/b83], OFFMP [C3/B110], OWRMP [C3/B120], OSDI [B82])</p>	The Stormwater Infrastructure Operation and Maintenance Plan covers this requirement. The Plan was approved by the Department on 09/09/19.	C
B51	The annual independent audit 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.	Moorebank Precinct East – Stage 2 WSUD Independent Audit, Sustainability Workshop, June 2021.	<p>The Annual Independent Audit was completed by Mark Liebman, CPEng, MIAust. Mark has over 20 years water quality management experience. He co-authored the design guides, notably the Blacktown City Council Water Sensitive Urban Design Standard Drawings which were used as reference guides for the design of the MPE Stage 2 site.</p> <p>The audit assessed the items listed and found that</p> <ol style="list-style-type: none"> 1) The condition of the systems are varied with some elements requiring rectification. 2) It is likely that the constructed elements of the system are working as intended. 3) The systems are being cleaned and maintained so they remain functional. 4) No excessive build up of material is evident. 5) A number of rectification measures are recommended 	C
Flood management				
B52	<p>Before the commencement of construction, the Applicant must prepare a Flood Emergency Response Plan to the satisfaction of the Secretary. The Plan must form part of the CEMP and OEMP required by conditions C1 and C3 and must:</p> <ol style="list-style-type: none"> a. be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Secretary; b. address the provisions of the Floodplain Risk Management Guideline (OEH, 2007) (as may be updated or replaced from time to time); c. include details of: <ul style="list-style-type: none"> ◦ the flood emergency responses for both construction and operation phases of the development; 	<p>Operational Emergency Response Plan, SIMTA, 26/03/20 (the OERP)</p> <p>Letter DPIE to Qube, 10/12/19 (approval of OERP [B116], inclusive of BEEMP [B143], BMP [B144] and FERP [B52])</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p>	<p>The flood emergency response forms part of the OERP, prepared as part of the OEMP. The OERP addresses requirements a-c of this condition. The FERP / OERP was initially approved by the Department on 10/12/19.</p> <p>On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> ◦ predicted flood levels; ◦ flood warning time and flood notification; ◦ assembly points and evacuation routes; ◦ evacuation and refuge protocols; and ◦ awareness training for employees and contractors. 		out of operations across the Moorebank Precinct East site	
B53	<p>The Applicant must:</p> <ol style="list-style-type: none"> a. not commence construction until the Flood Emergency Response Plan required by condition B52 is approved by the Secretary; and b. implement the most recent version of the Flood Emergency Response Plan approved by the Secretary for the duration of the development. 	<p>Operational Emergency Response Plan, SIMTA, 26/03/20 (the OERP)</p> <p>Interview with auditees 10/05/21</p> <p>2021 Emergency Response Guidelines Training Schedule For Moorebank Logistics Park East, People First Fire (no date)</p> <p>Emergency Procedures Program For Moorebank Logistics Park - East, 400 Moorebank Ave, Moorebank, NSW 2170, People First Fire, 10/03/21</p> <p>Emergency Response Guidelines Training Sessions For Moorebank Logistics Park, People First Fire, 01/03/21</p>	<p>The flood emergency response forms part of the OERP, prepared as part of the OEMP.</p> <p>It is understood that the March 2021 storms did not impede on the site.</p> <p>Emergency response exercises have been completed.</p>	C
AIR QUALITY				
Dust minimisation				
B54	Best practice reactive and proactive management measures must be implemented to minimise dust generated during all works authorised by this consent.	<p>Operational Air Quality Management Plan, SIMTA, 27/03/20 (OAQMP)</p> <p>Interview with auditees 10/05/21</p> <p>Monthly Air Quality Monitoring Reports, Nov 20 – Mar 21), Arcadis to Tactical</p> <p>MPE Operational Air Quality Six Monthly Compliance Report (May – Oct 2020), Arcadis, 19/11/20</p> <p>Calibration Certificates Airpol, 27/01/21, 25/02/21</p>	<p>This condition is addressed within the OAQMP.</p> <p>The Cranes, Straddle Carriers and Container Lifts are currently being commissioned and tested by the Supplier (Kalmar). They will be handed over to Qube operations in October 2021, at which time Qube will be required to implement a maintenance program. The Supplier hasn't as yet provided the Operations and Maintenance manuals which Qube require to prepare the maintenance program.</p> <p>A monthly internal air monitoring report is prepared by Arcadis. The reports review and analyse data, compare it to thresholds, identify exceedances (if any) and make</p>	NC

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			<p>recommendations. This is then compiled into a 6 monthly report.</p> <p>Observation: The Six Monthly Operational Air Quality Compliance Report identified 7 x instances of exceedances of the PM2.5 24 hr avg criteria and 20 x instances of exceedances of the PM10 24 hr avg criteria. Most of these were attributed by the Project to MPW works (material import activities, including operation of mobile plant and heavy vehicles and the import and handling of tunnel spoil). Correlation to MPE could not be confirmed.</p> <p>Non-compliance: The January, February and March 2021 Monthly Air Quality Monitoring Reports identify exceedances of the PM10 criteria that should be investigated. There was no evidence of any such investigations having been carried out.</p>	
B55	Deposited dust must not exceed an increase of 2g/m2/month or maximum of 4g/m2/month at the closest off-site sensitive receiver.	<p>Operational Air Quality Management Plan, SIMTA, 27/03/20 (OAQMP)</p> <p>Monthly Air Quality Monitoring Reports, Nov 20 – Mar 21), Arcadis to Tactical</p> <p>MPE Operational Air Quality Six Monthly Compliance Report (May – Oct 2020), Arcadis, 19/11/20</p>	<p>This condition is addressed within the OAQMP.</p> <p>Due to property access constraints monitors are located at the boundary of the MPE site to provide indicative results.</p> <p>Dust deposition is generally attributable to construction.</p> <p>Several measured exceedances were not attributed to MPE Operations during the audit period.</p>	C
B56	<p>During construction:</p> <ol style="list-style-type: none"> fill importation must not exceed 22,000m3 per day; exposed areas and stockpiles must be watered regularly to minimise dust emissions; water carts must be used to control dust emissions from vehicles travelling on unpaved surfaces, and graders and dozers pushing fill material; grader and bulldozer travel routes and the fill material being handled must be suitably moist; water must be used as appropriate to maintain moisture in the fill material being bulldozed, such that dust emissions would be halved relative to not applying the water; water may be applied prior to fill being delivered to site, provided that the same effect is achieved as in (e) above; all trucks entering or leaving the site with loads must have their loads covered; trucks associated with the development must not track dirt onto public roads; public roads used by trucks associated with the development must be kept clean; and land stabilisation works must be carried out progressively on site to minimise exposed surfaces. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Construction air quality management plan				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B57	<p>The Applicant must prepare a Construction Air Quality Management Plan (AQMP) to the satisfaction of the Secretary. The AQMP must be prepared by a suitably qualified and experienced person(s). The Construction AQMP must form part of the CEMP required by condition C1. The AQMP must include:</p> <ul style="list-style-type: none"> a. a Construction Air Quality Monitoring Program; b. identification of sources (including stockpiles and open work areas) and quantify airborne pollutants; c. best practice reactive and proactive control measures that will be implemented for each emission source including measures to prevent the emission of visible dust from the site as listed in condition B56; d. provisions for the implementation of additional mitigation measures in response to issues identified during monitoring and reporting; e. for all emission sources at the site: <ul style="list-style-type: none"> i. key performance indicator(s); ii. monitoring method(s); iii. location, frequency and duration of monitoring; iv. record keeping; v. complaints register; vi. response procedures; and vii. compliance monitoring. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B58	Air quality monitoring must be undertaken during early works, fill importation and construction.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Operational air quality management plan				
B59	<p>The Applicant must prepare an Operational AQMP to the satisfaction of the Secretary for the entire precinct (MPE + MPW), unless this has been prepared and approved under an approval for the MPW site. The AQMP must be prepared by a suitably qualified and experienced person(s) and must form part of the OEMP required by condition C3. The AQMP must include:</p> <ul style="list-style-type: none"> a. identification of sources and quantify airborne pollutants; b. best practice reactive and proactive control measures that will be implemented for each emission source; c. provisions for the implementation of additional mitigation measures in response to issues identified during monitoring and reporting; d. for all emission sources associated with site operations: <ul style="list-style-type: none"> i. key performance indicator(s); ii. monitoring method(s); iii. location, frequency and duration of monitoring; iv. record keeping; v. complaints register; vi. response procedures; and vii. compliance monitoring. 	<p>Operational Air Quality Management Plan, SIMTA, 27/03/20 (OAQMP)</p> <p>Letter DPIE to Qube, 09/09/19 (approval of OEMP [C3], SIOMP [C3/B49], OAQMP [C3/B59], HIP [C3/B101], ONVMP [C3/b83], OFFMP [C3/B110], OWRMP [C3/B120], OSDI [B82])</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p>	<p>The OAQMP was prepared in 2019 to address requirements a-d of this condition. It was approved by the Department on 19/09/19.</p> <p>On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site.</p>	C
B60	The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).	Operational Air Quality Management Plan, SIMTA, 27/03/20 (OAQMP)	This condition is addressed within the OAQMP.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Complaints register current to 30/04/21</p> <p>Site inspection 10/05/21</p>	<p>No odours identified during the inspection (or previous inspections on MPE and MPW undertaken for previous audits).</p> <p>No complaints received regarding this requirement.</p>	
B61	<p>Equipment must be installed and operated in accordance with best practice to ensure that the development complies with all load limits, air quality criteria, air emission limits and air quality monitoring requirements as specified under this consent.</p>	<p>Operational Air Quality Management Plan, SIMTA, 27/03/20 (OAQMP)</p> <p>Monthly Air Quality Monitoring Reports, Nov 20 – Mar 21), Arcadis to Tactical</p> <p>MPE Operational Air Quality Six Monthly Compliance Report (May – Oct 2020), Arcadis, 19/11/20</p> <p>Interim Occupation Certificate No. 19/124520-5 (whole of Warehouse 1), Mckenzie Group, 21/06/19</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/20</p> <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/20</p> <p>Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/20</p> <p>Calibration Certificates Airpol, 27/01/21, 25/02/21</p> <p>Caesarstone forklift plant checklist, K24166 and #67</p> <p>Caesarstone overhead crane checklist, CSA-EH-022a</p> <p>Caesarstone jib and clamp checklists (various)</p>	<p>This condition is addressed within the OAQMP.</p> <p>The Certifier has verified that fixed mechanical plant and equipment has been installed as per the relevant codes and standards. This is captured within the Occupation Certificates.</p> <p>Tenant fixed and mobile equipment records indicate that the plant and equipment on the project are being properly maintained. To note: a request was made for tenants to provide information on maintenance and operation of plant. Not all tenants responded to the request.</p> <p>A monthly internal air monitoring report is prepared by Arcadis. The reports review and analyse data, compare it to thresholds, identify exceedances (if any) and make recommendations. This is then compiled into a 6 monthly report.</p> <p>Refer to response to CoC B54 regarding responses to exceedances of air quality criteria.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status													
CONSTRUCTION NOISE AND VIBRATION																	
Noise monitoring																	
B62	Prior to early works, the Applicant must undertake noise monitoring in accordance with INP to verify RBLs for the closest sensitive receivers	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT													
B63	or to early works and fill importation, the Applicant must submit a Noise Monitoring Report detailing the results of background noise monitoring, any resulting adjustment of NMLs for the development and any additional noise mitigation measures to be include in the CEMP required under condition C1.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT													
B64	Continuous noise monitoring at sensitive receivers must be undertaken during early works, fill importation, construction and for at least 12 months following occupation of the entire site.	Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP). Moorebank Intermodal Terminal DRAFT Annual Noise Review - April 2021, Renzo Tonin, 29/04/21	This condition is addressed within the approved ONVMP. The Draft Annual Noise Review summarises all monitoring undertaken for the year (including INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements, Warehouse noise monitoring, Rail link noise monitoring at residential receivers, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring, Year 1 rail operations noise monitoring report, Rail link angle of attack (AoA) monitoring, Year 1 rail operations AoA monitoring. It concludes that no exceedances of the planning approval noise limits were measured during Year 1 operations. Refer also response to CoC B80.	C													
Construction hours																	
B65	The construction hours detailed in Table 2 must be complied with, except where they may be undertaken under condition B66. Table 2: Hours of Work	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT													
	<table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Early works and Construction</td> <td>Monday – Friday</td> <td>7 am to 6 pm</td> </tr> <tr> <td>Saturday</td> <td>7 am to 1 pm</td> </tr> <tr> <td rowspan="2">Moorebank Avenue upgrade</td> <td>Monday – Friday</td> <td>7 am to 6 pm</td> </tr> <tr> <td>Saturday</td> <td>7 am to 1 pm</td> </tr> </tbody> </table>	Activity	Day	Time	Early works and Construction	Monday – Friday	7 am to 6 pm	Saturday	7 am to 1 pm	Moorebank Avenue upgrade	Monday – Friday	7 am to 6 pm	Saturday	7 am to 1 pm			
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	Saturday	7 am to 1 pm															
Moorebank Avenue upgrade	Monday – Friday	7 am to 6 pm															
	Saturday	7 am to 1 pm															

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B66	<p>Except as permitted by an EPL, activities resulting in high noise impact (including impulsive or tonal noise emissions) must only be undertaken:</p> <ul style="list-style-type: none"> a. between the hours of 8:00 am to 5:00 pm Monday to Friday; b. between the hours of 8:00 am to 1:00 pm Saturday; and c. in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block. <p><i>Note:</i></p> <p><i>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.</i></p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B67	<p>Works may be undertaken outside the hours detailed in Table 2 in the following circumstances:</p> <ul style="list-style-type: none"> a. for the delivery or dispatch of materials as requested by the NSW Police Force or other public authorities for safety reasons; b. where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; c. where different construction hours are permitted or required under an EPL in force in respect of construction, in which case these construction hours must be complied with; d. where they are undertaken in accordance with an Out-Of-Hours Work Protocol detailing the assessment, management and monitoring of noise as part of the Construction Noise and Vibration Management Plan. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B68	<p>The Applicant must prepare an Out-Of-Hours Work Protocol for any work undertaken outside the hours specified in condition B65 or outside the circumstances specified under condition B67. An Out-Of-Hours Work Protocol must provide for the assessment, management and monitoring of out of hours work noise including:</p> <ul style="list-style-type: none"> a. where works are shown to be inaudible at the nearest sensitive receivers and vibration levels do not exceed those stipulated by Table 2.2 and Table 2.4 of Assessing Vibration: a technical guideline (DEC, 2006); b. where a negotiated agreement has been arranged with affected receivers; c. where noise can be shown to satisfy the noise management levels specified in the Interim Construction Noise Guideline (ICNG, DECC, 2009) at non-residential land uses; or d. where works are undertaken as part of an Extended Hours Work Plan approved as part of the Out-Of-Hours Work Protocol. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B69	<p>An Extended Hours Work Plan will be prepared for any construction undertaken during the extended hours detailed in Table 3 as required by condition B68(d). The Extended Hours Work Plan must provide for:</p> <ul style="list-style-type: none"> a) a three-month assessment period, commencing at the start of extended hours construction works; b) implementation of the Construction Noise and Vibration Management Plan; c) noise monitoring at a representative number of sensitive receivers (including closest and furthest) to confirm the predicted noise levels; d) targeted consultation with the noise affected sensitive receivers; e) notification of the relevant Council, local residents and other affected stakeholders and sensitive receivers of the timing and duration at least 48 hours prior to the commencement of the works; f) construction work timeframes and methods for investigation of noise complaints; g) submission of monthly complaints reports to the Department for the life of extended hours activities; h) continual refinement of mitigation measures based on consultation with the noise affected sensitive receivers; i) implementation of work practices set out in section 5.2 of the ICNG; j) a final summary report submitted to the Secretary at the end of the assessment period in sub condition (a), detailing the outcomes of the assessment period, the resolution of complaints during the assessment period, and demonstrate the acceptability of works outside standard hours. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status								
	<p>Table 3: Extended Hours of Work</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Early works and Construction (not including high noise impact, piling, spoil placement, rock breaking, concrete batching)</td> <td>Monday – Friday</td> <td>6 am to 7 am 6 pm to 10 pm</td> </tr> <tr> <td>Saturday</td> <td>1 pm to 5 pm</td> </tr> </tbody> </table>	Activity	Day	Time	Early works and Construction (not including high noise impact, piling, spoil placement, rock breaking, concrete batching)	Monday – Friday	6 am to 7 am 6 pm to 10 pm	Saturday	1 pm to 5 pm			
Activity	Day	Time										
Early works and Construction (not including high noise impact, piling, spoil placement, rock breaking, concrete batching)	Monday – Friday	6 am to 7 am 6 pm to 10 pm										
	Saturday	1 pm to 5 pm										
B70	The Applicant must comply with all written directions of the Secretary arising from the review of the final summary report required under condition B69.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT								
B71	Construction must be carried out in accordance with the construction noise management levels and requirements detailed in the INCG (DECC, 2009).	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT								
B72	All reasonable and feasible noise mitigation measures must be implemented in addition to the management and mitigation measures in APPENDIX B with the aim of achieving the following construction Noise Management Levels (NMLs) and vibration criteria: <ul style="list-style-type: none"> a) construction noise management levels established using the INCG (DECC 2009); b) vibration criteria established using the <i>Assessing Vibration: a Technical Guide</i> (DECC 2006) (for human exposure); and c) the vibration limits set out in the <i>German Standard DIN 4150-3: Structural Vibration effects of vibration on structures</i> (for structural damage). 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT								
B73	Any construction activities identified as exceeding the construction noise management levels and/or vibration criteria must be managed in accordance with the Construction Noise and Vibration Management Plan (CNVMP) required by condition B77. All feasible and reasonable noise mitigation and management measures must be implemented and any activities that could exceed the construction NMLs must be identified and managed in accordance with the CNVMP. <p><i>Note: The INCG identifies 'particularly annoying' activities that require the addition of 5dB(A) to the predicted level before comparing to the construction NML.</i></p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT								
Construction traffic noise												
B74	Where feasible and reasonable, construction traffic movements on public roads should aim to limit any increase in existing road traffic noise levels to no more than 2 dB LAeq,period, where 'period' is defined in the EPA's Road Noise Policy (RNP) for both day and night.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT								
B75	The Applicant is to ensure that construction contractor's vehicles operate so as to minimise impacts. Measures that could be used include: <ul style="list-style-type: none"> a) toolbox talks; b) contracts that include provisions to deal with unsatisfactory noise performance for the vehicle and/or the operator; and 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject	NT								

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	c) specifying non-tonal movement alarms in place of reversing beepers or alternatives such as reversing cameras and proximity alarms, or a combination of these, where tonal alarms are not mandated by legislation.		to separate audit programs and do not form part of this audit.	
B76	Use of compression brakes for construction vehicles associated with the project that are on site or on nearby roads is not permitted (e.g. Anzac Avenue).	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Construction noise and vibration management plan				
B77	<p>A Construction Noise and Vibration Management Plan (CNVMP) must be prepared for the development to the satisfaction of the Secretary. The plan must form part of the CEMP required by C1 and detail how construction noise and vibration impacts will be minimised and managed. The Plan must be consistent with the guidelines contained in the ICNG (DECC, 2009). The plan must be developed in consultation with the EPA and include:</p> <ul style="list-style-type: none"> a) identification of the work areas, site compounds and access points; b) identification of the type and number of plant and equipment expected on site at the same time; c) identification of sensitive receivers (including heritage structures if relevant) and relevant construction noise and vibration goals applicable to the project as stipulated in condition B71; d) details of construction activities and an indicative schedule for construction works, 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; e) an Out-of-hours Work Protocol as referenced in condition B68 for the assessment, management and approval of works outside standard construction hours, for the Secretary's approval. The Out-of-hours Work Protocol must: <ul style="list-style-type: none"> (i) detail assessment of out-of-hours works against the relevant noise 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; (iii) include proposed notification arrangements; and (iv) include an Extended Hours Work Plan as required by condition B69. 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; g) management of the number of trucks accessing the site; h) a truck driver protocol addressing designated routes, acceptable delivery hours, speed limits on site, no engine braking in the vicinity or on site, no extended periods of engine idling, avoiding queuing in or around the site and limiting the need for reversing on site; i) identification of feasible and reasonable procedures and mitigation measures to ensure relevant vibration criteria are achieved, including applicable buffer distances for vibration intensive works, use of low vibration generating equipment/ vibration dampeners or alternative construction methodology, and pre- and post- construction dilapidation surveys of sensitive structures where vibration is likely to result in damage to buildings and structures (including surveys being undertaken immediately following a monitored exceedance of the criteria); j) a description of how the effectiveness of mitigation and management measures would be monitored during the proposed works, clearly indicating how often this monitoring would be conducted, the locations where monitoring would take place, how the results of this monitoring would be recorded and reported, and, if any exceedance is detected, how any non-compliance would be rectified; k) noise and vibration monitoring procedures (routine and complaints triggered monitoring); l) a community consultation and complaints handling procedure; and m) mechanisms for the monitoring, review and amendment of this plan. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status																				
B78	Blasting is not permitted on the site.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT																				
OPERATIONAL NOISE AND VIBRATION																								
Hours of operation																								
B79	The permitted hours of warehouse and distribution operation are detailed in Table 4 . <table border="1"> <caption>Table 4: Hours of Operation</caption> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td>Operation</td> <td>Monday to Sunday</td> <td>24 hours</td> </tr> </tbody> </table>	Activity	Day	Time	Operation	Monday to Sunday	24 hours	Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP)	Noted operations are able to be 24/7	C														
Activity	Day	Time																						
Operation	Monday to Sunday	24 hours																						
Operational noise limits																								
B80	Noise generated by operation of the development inclusive of MPE Stage 1 operations must not exceed the noise limits in Table 5 . <p>B80. Noise generated by operation of the development inclusive of MPE Stage 1 operations must not exceed the noise limits in Table 5.</p> <table border="1"> <caption>Table 5: Noise Limits dB(A)</caption> <thead> <tr> <th>Location (residential receivers)</th> <th>Day LAeq,15 minute</th> <th>Evening LAeq,15 minute</th> <th>Night LAeq,15 minute</th> <th>Night LA1, 1 minute</th> </tr> </thead> <tbody> <tr> <td>Casula</td> <td>35 dB</td> <td>35 dB</td> <td>35 dB</td> <td>52 dB</td> </tr> <tr> <td>Glenfield</td> <td>35 dB</td> <td>35 dB</td> <td>35 dB</td> <td>52 dB</td> </tr> <tr> <td>Wattle Grove</td> <td>35 dB</td> <td>35 dB</td> <td>35 dB</td> <td>52 dB</td> </tr> </tbody> </table> <p>Notes:</p> <p>To determine compliance with the LAeq,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 metres of a dwelling where the dwelling is more than 30 metres 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 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy must also be applied to the measured noise levels where applicable.</p> <p>To determine compliance with the LA1,1-minute noise limits, noise from the project is to be measured at 1 metre 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 11 of the NSW Industrial Noise Policy).</p> <p>The noise emission limits identified above apply under meteorological conditions of:</p>	Location (residential receivers)	Day LAeq,15 minute	Evening LAeq,15 minute	Night LAeq,15 minute	Night LA1, 1 minute	Casula	35 dB	35 dB	35 dB	52 dB	Glenfield	35 dB	35 dB	35 dB	52 dB	Wattle Grove	35 dB	35 dB	35 dB	52 dB	Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP) Container Noise Barrier Management Plan, SIMTA, 19/03/20 (The CNBMP) Email, DPIE to Tactical, 19/11/19 Moorebank Intermodal Terminal DRAFT Annual Noise Review - April 2021, Renzo Tonin, 29/04/21 Operational Noise Monitoring for MLP, Renzo Tonin, 23/04/21 Warehouse 5 Operational Compliance Measurement, Renzo 09/04/21 Warehouse 4A Operational Compliance Measurement, Renzo 06/04/21 Warehouse ATS Operational Compliance Measurement, Renzo 01/12/20 Warehouse 3B Operational Compliance Measurement, Renzo 06/04/21	The ONVMP was prepared to address this condition, and was approved by the Department on 09/09/19. The CNBMP for SSD 6766 was prepared by SIMTA in mid 2019 and was updated to address each of the requirements of this condition. On 19/11/19 the Department approved the CNBMP. To note the noise criteria from SSD 7628 are more stringent than that required under SSD 6766 and the CNBMP has adopted the more stringent criteria. The Renzo Tonin noise reports state that the noise emanating from the MPE operations was inaudible, but the background noise (made up of non-project noise sources) was above 35dB(A). Renzo undertook monitoring and confirmed compliance with B80 and B85 for each operational warehouse.	C
Location (residential receivers)	Day LAeq,15 minute	Evening LAeq,15 minute	Night LAeq,15 minute	Night LA1, 1 minute																				
Casula	35 dB	35 dB	35 dB	52 dB																				
Glenfield	35 dB	35 dB	35 dB	52 dB																				
Wattle Grove	35 dB	35 dB	35 dB	52 dB																				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>(i) wind speeds of up to 3 m/s at 10 metres above ground level; or</p> <p>(ii) 'F' atmospheric stability class.</p>	<p>Caesarstone Operational Compliance Measurement, Renzo 01/12/20</p> <p>Target Operational Compliance Measurement, Renzo 01/12/20</p>		
Review of sleep disturbance impacts				
B81	<p>The Applicant must prepare a Review of Sleep Disturbance Impacts based on detailed design, including:</p> <ul style="list-style-type: none"> a) an assessment of how often noise events occur, the time of day they occur and whether there are any times of day when there is a clear change in the noise environment; b) confirm the operational L_{Amax} predictions of the final design; and c) consider appropriate noise mitigation measures where required. 	<p>Operational Sleep Disturbance Impacts Report, 29/03/19</p> <p>Letter DPIE to Qube, 09/09/19 (approval of OEMP [C3], SIOMP [C3/B49], OAQMP [C3/B59], HIP [C3/B101], ONVMP [C3/b83], OFFMP [C3/B110], OWRMP [C3/B120], OSDI [B82])</p>	<p>The OSDI Review was prepared to address this condition. It was approved by the Department on 09/09/19.</p>	C
B82	<p>The Review of Sleep Disturbance Impacts must be prepared in consultation with the EPA and to the satisfaction of the Secretary and must be submitted to the Secretary within six months of commencement of construction, unless otherwise agreed by the Secretary.</p>	<p>Operational Sleep Disturbance Impacts Report, 29/03/19</p> <p>Letter DPIE to Qube, 09/09/19 (approval of OEMP [C3], SIOMP [C3/B49], OAQMP [C3/B59], HIP [C3/B101], ONVMP [C3/b83], OFFMP [C3/B110], OWRMP [C3/B120], OSDI [B82])</p>	<p>The OSDI Review was prepared to address this condition. It was approved by the Department on 09/09/19.</p>	C
Operational noise management plan				
B83	<p>An Operational Noise Management Plan must be submitted to the Secretary for approval and form part of the OEMP required under condition C3. The report must be prepared by a suitably qualified and experienced person(s) and include:</p> <ul style="list-style-type: none"> a) an outline of management actions to be taken to address any potential non-compliances with the limits specified in Table 5; b) a description of contingency measures to be implemented in the event management actions do not reduce noise levels to a compliant level; and c) identification of additional feasible and reasonable measures to those proposed in the documents specified under condition A2, that would be implemented with the objective of meeting the criteria outlined in the NSW RNP (EPA, 2011), when these measures would be implemented and how their effectiveness would be measured and reported to the Secretary and the EPA. 	<p>Operational Noise and Vibration Management Plan, SIMTA, 13/08/19 (ONVMP)</p> <p>Letter DPIE to Qube, 09/09/19 (approval of OEMP [C3], SIOMP [C3/B49], OAQMP [C3/B59], HIP [C3/B101], ONVMP [C3/b83], OFFMP [C3/B110], OWRMP [C3/B120], OSDI [B82])</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p>	<p>The ONVMP was prepared to address requirements a-c of this condition. It was approved by the Department on 09/09/19</p> <p>On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site</p>	C
Mechanical plant and other equipment				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B84	Prior to construction of the 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 has been selected to meet the overall operational noise limits specified in Table 5 .	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B85	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 occupation of 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 Secretary within two months of occupation or each tenancy to verify predicted mechanical plant and equipment noise levels.	Warehouse 5 Operational Compliance Measurement, Renzo 09/04/21 Warehouse 4A Operational Compliance Measurement, Renzo 06/04/21 Warehouse ATS Operational Compliance Measurement, Renzo 01/12/20 Warehouse 3B Operational Compliance Measurement, Renzo 06/04/21 Caesarstone Operational Compliance Measurement, Renzo 01/12/20 Target Operational Compliance Measurement, Renzo 01/12/20	Renzo Tonin undertook monitoring and confirmed compliance with B80 and B85 for each operational warehouse.	C
Operational noise report				
B86	Within 12 months of occupation of the first warehouse, 50% occupation of the site and 100% occupation of the site, or as otherwise agreed by the 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: <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 5; b) a validation by predictive modelling of the operational noise levels in terms of criteria and noise goals established in the NSW RNP (EPA, 2011); c) sleep disturbance impacts compared to those determined in documents specified under condition A2; 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) 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; g) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and heavy vehicle proportions; and h) 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. 	Moorebank Intermodal Terminal DRAFT Annual Noise Review - April 2021, Renzo Tonin, 29/04/21	The Draft Annual Noise Review summarises all monitoring undertaken for the year (including INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements, Warehouse noise monitoring, Rail link noise monitoring at residential receivers, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring, Year 1 rail operations noise monitoring report, Rail link angle of attack (AoA) monitoring, Year 1 rail operations AoA monitoring. It concludes that no exceedances of the planning approval noise limits were measured during Year 1 operations.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B87	The Applicant must provide the Secretary and the EPA with a copy of the Operational Noise Report within 60 days of completing the operational noise monitoring referred to in (a) above or as otherwise agreed by the Secretary.	Moorebank Intermodal Terminal DRAFT Annual Noise Review - April 2021, Renzo Tonin, 29/04/21	Non-compliance: According to the dates of monitoring specified within the Draft Annual Noise Review, the Report has not been submitted to the identified stakeholders within 60 days of completion of the monitoring (as required by CoC B87).	NC
B88	To ensure the operational noise impacts are appropriately managed, the following measures apply: a) use of best practice plant; and b) preparation of a risk assessment to determine if non-tonal reversing alarms can be fitted as a condition of site entry. Alternatively, site design may include traffic flow that does not require or precludes reversing of vehicles.	Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP) Warehouse 5 Operational Compliance Measurement, Renzo 09/04/21 Warehouse 4A Operational Compliance Measurement, Renzo 06/04/21 Warehouse ATS Operational Compliance Measurement, Renzo 01/12/20 Warehouse 3B Operational Compliance Measurement, Renzo 06/04/21 Caesarstone Operational Compliance Measurement, Renzo 01/12/20 Target Operational Compliance Measurement, Renzo 01/12/20 Moorebank Intermodal Terminal DRAFT Annual Noise Review - April 2021, Renzo Tonin, 29/04/21	This requirement is included in the approved ONVMP. Renzo Tonin undertook monitoring and confirmed compliance with B80 and B85 for each operational warehouse. ditionally the Draft Annual Noise Review summarises all monitoring undertaken for the year (including INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements, Warehouse noise monitoring, Rail link noise monitoring at residential receivers, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring, Year 1 rail operations noise monitoring report, Rail link angle of attack (AoA) monitoring, Year 1 rail operations AoA monitoring. It concludes that no exceedances of the planning approval noise limits were measured during Year 1 operations. tonal reverse beacons were observed within SSD7628 during the inspection, with the exception of delivery trucks. e site is set up in a manner whereby reversing is minimal.	C
B89	For the duration of operation heavy road freight vehicles are not permitted to use Moorebank Avenue south of the East Hills Railway corridor. A main gate monitoring system (e.g. CCTV) must be installed to identify heavy vehicles turning left from the terminal site onto Moorebank Avenue, or turning right from Moorebank Avenue to the terminal site. The Secretary may at any time request the Applicant to provide a heavy vehicle monitoring report for the prior 12-month period.	Annual Trip Origin Destination Report (MPE1 and MPE2), Ason, 15/02/21 Interview with auditees 10/05/21 Complaints register to 30/04/21	e Biannual Trip Origin Destination Report confirmed that for the monitoring period no vehicles were observed turning right into the terminal site from Moorebank Avenue and turning left from the terminal site onto Moorebank Avenue. The gate keepers on Moorebank Avenue police this until such time as access to the CCTV servers are completed.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			No complaints regarding this requirement received.	
Continuous improvement				
B90	<p>For the duration of operation, the Applicant must:</p> <ul style="list-style-type: none"> a) continue to implement all reasonable and feasible best practice noise mitigation measures; b) continue to investigate ways to reduce the noise generated by the development, including maximum noise levels which may result in sleep disturbance; and c) report on these investigations and the implementation and effectiveness of these measures in the Annual Review to the satisfaction of the Secretary. 	<p>Moorebank Intermodal Terminal DRAFT Annual Noise Review - April 2021, Renzo Tonin, 29/04/21</p> <p>Operational Noise Monitoring for MLP, Renzo Tonin, 23/04/21</p> <p>Warehouse 5 Operational Compliance Measurement, Renzo 09/04/21</p> <p>Warehouse 4A Operational Compliance Measurement, Renzo 06/04/21</p> <p>Warehouse ATS Operational Compliance Measurement, Renzo 01/12/20</p> <p>Warehouse 3B Operational Compliance Measurement, Renzo 06/04/21</p> <p>Caesarstone Operational Compliance Measurement, Renzo 01/12/20</p> <p>Target Operational Compliance Measurement, Renzo 01/12/20</p>	<p>The Renzo Tonin noise reports state that the noise emanating from the MPE operations was inaudible, but the background noise (made up of non-project noise sources) was above 35dB(A).</p> <p>Renzo undertook monitoring and confirmed compliance with B80 and B85 for each operational warehouse.</p> <p>ditionally the Draft Annual Noise Review summarises all monitoring undertaken for the year (including INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements, Warehouse noise monitoring, Rail link noise monitoring at residential receivers, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring, Year 1 rail operations noise monitoring report, Rail link angle of attack (AoA) monitoring, Year 1 rail operations AoA monitoring. It concludes that no exceedances of the planning approval noise limits were measured during Year 1 operations.</p>	C
HERITAGE				
Archival recording				
B91	Prior to Early Works and Fill Importation, archival recording of the entire former DNSDC site must be undertaken in accordance with the Non-Indigenous Heritage Assessment (artefact, 2016) by a suitably qualified and experienced person(s).	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Heritage management plan				
B92	<p>Prior to commencement of Early Works and Fill Importation, the Applicant must prepare a Heritage Management Plan, to the satisfaction of the Secretary. The plan must form part of the CEMP required by C3 and must:</p> <ul style="list-style-type: none"> a) be prepared by suitably qualified and experienced person(s); 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	b) be prepared in consultation with NSW Heritage Division, Council, relevant landowners and stakeholders including the Moorebank Heritage Group (MHG) and Department of Defence.		to separate audit programs and do not form part of this audit.	
B93	<p>The Heritage Management Plan must include:</p> <ul style="list-style-type: none"> a) plans/strategies to monitor, mitigate and manage the effects of the development on identified PADs; b) measure to ensure site workers receive suitable heritage inductions prior to carrying out any activities which may cause impacts to heritage, and that suitable records are kept of these inductions; c) a program and description of the measures/procedures to be implemented for: <ul style="list-style-type: none"> I. undertaking surface surveys and archaeological investigations (where subsurface disturbance is proposed) of any items of heritage significance; II. protecting heritage items located outside the disturbance area from the impacts of the development; III. managing any new heritage items discovered during the development; and IV. additional archaeological excavation and recording of any significant heritage deposits uncovered during demolition. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Archaeological monitoring and recording				
B94	Prior to commencement of Early Works and Fill Importation, archaeological monitoring and recording must be undertaken at potential archaeological deposits (PADs) V and W in accordance with the Non-Indigenous Heritage Assessment (artefact 2016) by a suitably qualified and experienced archaeologist with Excavation Director Criteria qualifications.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B95	The results must be reported to the Secretary within one month of completion of monitoring and recording at PADs V and W, along with recommendations for further monitoring at additional sites, if significant archaeological deposits are encountered.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B96	Fill importation must not commence within 10 metres of PADs V and W until the results of any further monitoring and recording, along with any additional Non-Indigenous Heritage management measures, are submitted to the Secretary and included in an updated Heritage Management Plan to the satisfaction of the Secretary.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Unexpected finds protocol				
B97	Before commencement of construction, the Applicant must prepare an Unexpected Finds Protocol for the development in consultation with the Registered Aboriginal Parties, OEH and the NSW Heritage Division and must implement the Protocol in accordance with its terms.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Discovery of human remains or Aboriginal objects or places				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B98	If human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Applicant must immediately notify NSW Police and OEHL, and work must not recommence in the area until authorised by NSW Police and OEHL.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit. Operations do not involve ground disturbance.	NT
B99	If any Aboriginal object or Aboriginal place is identified on site, or suspected to be on site: a) all work in the immediate vicinity of the object or place must cease immediately; b) a 10m buffer area around the object or place must be cordoned off; and c) OEHL must be contacted immediately.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit. Operations do not involve ground disturbance	NT
B100	Work in the immediate vicinity may only recommence if: a) the object or place is confirmed by OEHL 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 OEHL to include the object or place and appropriate measures in respect of it, and the Plan is approved by the Secretary; or c) OEHL is satisfied as to the measures to be implemented in respect of the object or place and makes a written direction in that regard.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit. Operations do not involve ground disturbance	NT
Heritage interpretation plan				
B101	Prior to commencement of operation, the Applicant must prepare a Heritage Interpretation Plan based on the recommendations contained in the Heritage Interpretation Strategy (artefact, 2017) approved under MPE Stage 1. The plan must be prepared for the entire Moorebank Intermodal Precinct (MPE and MPW sites).	Heritage Interpretation Plan, 27/06/19 Letter DPIE to Qube, 09/09/19 (approval of OEMP [C3], SIOMP [C3/B49], OAQMP [C3/B59], HIP [C3/B101], ONVMP [C3/b83], OFFMP [C3/B110], OWRMP [C3/B120], OSDI [B82]) Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)	The HIP was prepared, as part of the OEMP, to address the requirements of this condition. It was approved by the Department on 09/09/19 On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site	C
B102	The plan must form part of the OEMP required by condition C3 and must: a) be prepared by a suitably qualified and experienced person(s); b) be prepared in consultation with NSW Heritage Division, Council, relevant landowners and stakeholders including the Moorebank Heritage Group (MHG), Department of Defence, as well as the Relevant Aboriginal Parties (RAPs) should themes relating to Aboriginal heritage be included for interpretation; and c) be approved by the Secretary prior to the commencement of operation.	Heritage Interpretation Plan, 27/06/19 Letter DPIE to Qube, 09/09/19 (approval of OEMP [C3], SIOMP [C3/B49], OAQMP [C3/B59], HIP [C3/B101], ONVMP [C3/b83], OFFMP	The HIP was prepared, as part of the OEMP, to address the requirements of this condition. It was initially approved by the Department on 09/09/19. On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP,	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		[C3/B110], OWRMP [C3/B120], OSDI [B82]) Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)	SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site.	
BIODIVERSITY				
B103	The Applicant must: <ul style="list-style-type: none"> a) ensure that no more than 4.69 hectares of native vegetation is cleared for the development; and b) minimise: <ul style="list-style-type: none"> I. the impacts of the development on hollow-bearing trees; and II. the clearing of native vegetation and key habitat within the approved disturbance footprint. 	Site inspection 10/05/21	The site was fenced. No clearing was observed to have occurred beyond the boundary. Clearing was completed during early construction.	NT
B104	Prior to the commencement of construction, unless the Secretary agrees otherwise, the Applicant must retire biodiversity credits of a number and class specified in Tables 6 and 7 and provide evidence to the satisfaction of the Secretary. The retirement of credits must be carried out in accordance with the NSW Biodiversity Offsets Policy for Major Projects, and can be achieved by <ul style="list-style-type: none"> a) acquiring or retiring credits under the BioBanking scheme established under the then <i>Threatened Species Conservation Act 1995</i> b) making payments into an offset fund that has been established by the NSW Government; or c) providing suitable supplementary measures. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status																																				
	<p>Table 6: Ecosystem credit requirements</p> <table border="1" data-bbox="418 506 1270 1016"> <thead> <tr> <th>Site</th> <th>Plant community type</th> <th>Area to be impacted</th> <th>Credits required</th> </tr> </thead> <tbody> <tr> <td>MPE 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>0.1 ha</td> <td>4</td> </tr> <tr> <td>MPE Stage 2 (excluding Moorebank Avenue site)</td> <td>Broad-leaved Ironbark - Melaleuca decora shrubby open forest on clay soils of the Cumberland Plain, Sydney Basin Bioregion (ME002)</td> <td>0.05 ha</td> <td>3</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>3.73 ha</td> <td>167</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>6</td> </tr> <tr> <td>Moorebank Avenue site</td> <td>Forest Red Gum - Roughbarked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney (ME018)</td> <td>0.59</td> <td>17</td> </tr> </tbody> </table> <p>Table 7: Species credit requirements</p> <table border="1" data-bbox="418 1079 1270 1205"> <thead> <tr> <th>Species</th> <th>Impacted individuals</th> <th>Credits required</th> </tr> </thead> <tbody> <tr> <td>Nodding Geebung (<i>Persoonia nutans</i>)</td> <td>12</td> <td>924</td> </tr> <tr> <td><i>Hibbertia puberula</i> subsp. <i>puberula</i></td> <td>110</td> <td>4400</td> </tr> <tr> <td>Small-flower Grevillea (<i>Grevillea parviflora</i> subsp. <i>parviflora</i>)</td> <td>79</td> <td>1106</td> </tr> </tbody> </table>	Site	Plant community type	Area to be impacted	Credits required	MPE Stage 2 (excluding Moorebank Avenue site)	Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin (ME003)	0.1 ha	4	MPE Stage 2 (excluding Moorebank Avenue site)	Broad-leaved Ironbark - Melaleuca decora shrubby open forest on clay soils of the Cumberland Plain, Sydney Basin Bioregion (ME002)	0.05 ha	3	Moorebank Avenue site	Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin (ME003)	3.73 ha	167	Moorebank Avenue site	Parramatta Red Gum woodland on moist alluvium of the Cumberland Plain, Sydney Basin (ME005)	0.22 ha	6	Moorebank Avenue site	Forest Red Gum - Roughbarked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney (ME018)	0.59	17	Species	Impacted individuals	Credits required	Nodding Geebung (<i>Persoonia nutans</i>)	12	924	<i>Hibbertia puberula</i> subsp. <i>puberula</i>	110	4400	Small-flower Grevillea (<i>Grevillea parviflora</i> subsp. <i>parviflora</i>)	79	1106			
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B105	<p>Notwithstanding condition B103, the Applicant:</p> <ol style="list-style-type: none"> 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, or at another time agreed by the Secretary; and 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. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT																																				
Baseline monitoring program																																								
B106	<p>Prior to early works, a baseline monitoring program must be prepared in consultation with OEH and DPI to define pre-development conditions for water quality, invertebrates and fish assemblages. The results of this monitoring program are to be used to:</p> <ol style="list-style-type: none"> develop a Biodiversity Monitoring Strategy to identify any changes between upstream and downstream sites as a result of the construction and operation of the development; and set the stormwater water quality and quantity performance criteria referred to in condition B40. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT																																				
B107	Any unavoidable indirect impacts as identified through the Biodiversity Monitoring Strategy required under condition B106, e.g. impacts of change hydrology on vegetation in boot land/ biobank site must be identified and measures to address this must be	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject	NT																																				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	developed in consultation with OEH and implemented to the satisfaction of the Secretary. Measures may include additional offsetting.		to separate audit programs and do not form part of this audit.	
Construction flora and fauna management plan				
B108	<p>Prior to clearing of native vegetation, the Applicant must prepare a Construction Flora and Fauna Management Plan (CFFMP) in consultation with OEH. The CFFMP must form part of the CEMP required by condition C1 and must include the following:</p> <ul style="list-style-type: none"> a) measures to minimise the loss of key fauna habitat, including tree hollows; b) measures to minimise the impacts on fauna on site, including conducting fauna pre-clearance surveys prior to vegetation clearing and building demolition c) controlling weeds and feral pets; d) an Unexpected Finds Procedure detailed procedures and management measures to be implemented in the event that flora and fauna is uncovered in any area not identified in the updated Biodiversity Assessment (BAR); e) to ensure biodiversity values not intended to be impacted are protected. These measures may include barriers and mapping of protected/ 'no-go' areas; and f) a program to monitor the effectiveness of the measures in the CFFMP 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B109	<p>Prior to removing/clearing any vegetation, pre-clearing surveys and inspections for threatened species, populations and ecological communities must be undertaken to confirm the on-site location of those entities. The surveys and inspections, and any subsequent relocation of species and associated management measures, must be undertaken under the guidance of a suitably qualified and experienced ecologist.</p> <p>Methodologies must be incorporated into the Construction Flora and Fauna Management Plan required under condition B108. The agreement of OEH, whichever is the relevant agency, is required for any proposed amendments to the location or reclassification of threatened species, populations and ecological communities as identified in the updated BAR</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Operational flora and fauna management plan				
B110	<p>Prior to operation, the Applicant must prepare an Operational Flora and Fauna Management Plan (OFFMP) in consultation with OEH. The OFFMP must form part of the OEMP required by condition C3 and must include measures to ensure biodiversity values not intended to be impacted are protected, including but not limited to:</p> <ul style="list-style-type: none"> I. weed control; II. feral animal control; III. pathogen management procedures; IV. monitoring; and V. rehabilitation actions. 	<p>Operational Flora and Fauna Management Plan, SIMTA, 27/03/20 (the OFFMP)</p> <p>Letter DPIE to Qube, 09/09/19 (approval of OEMP [C3], SIOMP [C3/B49], OAQMP [C3/B59], HIP [C3/B101], ONVMP [C3/b83], OFFMP [C3/B110], OWRMP [C3/B120], OSDI [B82])</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p>	<p>The OFFMP was prepared to address the requirements of this condition. It was initially approved by the Department on 09/09/19.</p> <p>On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site.</p> <p>To note the OFFMP states that there will be no further clearing of native vegetation during the operation stage.</p>	C
B111	Bushfire asset protection zones are to be contained wholly within the site boundary and management of the inner protection zone and must not impact on the Boot Land.	Operational Emergency Response Plan, SIMTA, 26/03/20 (the OERP)	The APZs are presented in the OERP in section F5.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Letter DPIE to Qube, 10/12/19 (approval of OERP [B116], inclusive of BEEMP [B143], BMP [B144] and FERP [B52])</p> <p>Letter Blackash to Arcadis, 27/01/21 (review of APZs)</p>	<p>It was initially approved by the Department on 10/12/19 and subsequently approved through the staged update approval process.</p> <p>Blackash reviewed the APZs and confirmed compliance with the NSW Rural Fire Service document Planning for Bush Fire Protection 2006</p>	
HAZARDS AND RISKS				
Dangerous goods				
B112	<p>The Applicant (the operator/occupant of each premises) must store and handle all chemicals, fuels and oils, including Dangerous Goods as defined in <i>the Australian Code for the Transport of Dangerous Goods by Road & Rail</i>, in accordance with:</p> <ul style="list-style-type: none"> a) the requirements of all relevant Australian Standards; and b) the NSW EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Handbook</i> if the chemicals are liquids. <p>In the event of an inconsistency between the requirements listed above, the most stringent requirement shall prevail to the extent of the inconsistency.</p>	<p>Interview with auditees 10/05/21</p> <p>Site inspection 10/05/21</p> <p>Warehouse Operational Environmental Management Plans (various) (WOEMP)</p>	<p>It is understood that there are no dangerous goods are currently being stored on site by tenants, other than gas used for forklifts. 1 x 10kL bulk diesel tank is on the IMEX terminal SSD 6766. This is held within a self bunded purpose built container. These are under the thresholds.</p> <p>The WOEMPs were prepared and address storage and handling of dangerous goods for their operations. Compliance with the DG management and limits is a requirement on the tenant.</p>	C
B113	<p>The Applicant (the operator/occupant of each premises) must ensure compliance with the <i>Environment Protection Manual for Authorised Officers: Bunding and Spill Management</i> – technical bulletin (EPA, 1997 and that for liquids, a minimum bund volume of 110% of the volume of the largest single stored volume within the bund is required.</p>	<p>Interview with auditees 10/05/21</p> <p>Site inspection 10/05/21</p> <p>Warehouse Operational Environmental Management Plans (various) (WOEMP)</p>	<p>It is understood that there are no dangerous goods are currently being stored on site by tenants, other than gas used for forklifts. 1 x 10kL bulk diesel tank is on the IMEX terminal SSD 6766. This is held within a self bunded purpose built container. These are under the thresholds.</p> <p>The WOEMPs were prepared and address storage and handling of dangerous goods for their operations. Compliance with the DG management and limits is a requirement on the tenant.</p>	C
B114	<p>The quantities of Dangerous Goods present at any time within each premises or transported from and to the development must be kept below the screening threshold quantities listed in the Department's Hazardous and Offensive Development Guidelines Application Guidelines Applying SEPP 33 (January 2011).</p>	<p>Warehouse Operational Environmental Management Plans (various) (WOEMP)</p>	<p>It is understood that there are no dangerous goods are currently being stored on site by tenants, other than gas used for forklifts. 1 x 10kL bulk diesel tank is on the IMEX terminal SSD 6766. This is held within a self bunded purpose built container. These are under the thresholds.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			The WOEMPs were prepared and address storage and handling of dangerous goods for their operations. Compliance with the DG management and limits is a requirement on the tenant.	
B115	<p>Prior to occupation of each premises and in each instance of occupation by a new occupant, a report must be submitted and approved by the Secretary confirming that the premises will be operated so as to comply with the requirements of conditions B112 and B114.</p> <p><i>Notes:</i></p> <p><i>The total quantity of DG within a warehouse must be considered as part of the screening, not the size of one container and separation distances must be based on the Applying SEPP 33 guideline.</i></p>	<p>Target Australia Pty Ltd Warehouse Occupation Environmental Management Plan, SIMTA, 19/08/19</p> <p>Warehouse 3B Warehouse Operational Environmental Management Plan – Federal Hospitality Equipment Environmental Management Plan, 08/03/21</p> <p>Letter DPIE to Qube, 22/03/21 (approval of Warehouse 3B WOEMP)</p> <p>Warehouse Operation Environmental Management Plan (WOEMP) for Warehouse 4B, 15/10/20</p> <p>Letter DPIE to Qube, 21/10/20 (approval of Warehouse 4B WOEMP)</p> <p>Warehouse Operation Environmental Management Plan (WOEMP) for Warehouse 5, 15/12/20</p> <p>Letter DPIE to Qube, 12/01/21 (approval of Warehouse 5 WOEMP)</p> <p>Warehouse Operational Environmental Management Plan (Warehouse 4A, PCA Express), 5/05/21</p> <p>Letter DPIE to Qube, 21/05/21 (approval of Warehouse 4A WOEMP)</p> <p>Warehouse 3A Warehouse Operational Management Plan - Caesarstone Environmental Management Plan, 19/05/20</p> <p>Letter DPIE to Qube, 03/06/20 (approval of Warehouse 3A WOEMP)</p>	The WOEMPs include specifics on the quantities of dangerous goods to be handled or stored on each premise. These were approved prior to occupation.	C
Emergency response plan				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B116	<p>Six months prior to operation, the Applicant must prepare an Emergency Response Plan, in consultation with FRNSW and NSW Police Force.</p> <p>The Emergency Response Plan must include, but not be limited to:</p> <ul style="list-style-type: none"> a) protocols and procedures to be followed during emergency situations associated with the operation of the project (including fires and explosions). The protocols and procedures are to take into account the needs of people with a disability or who may experience access problems in emergency situations; b) details of traffic management measures to be implemented during emergencies, where appropriate, to minimise the potential for escalation of the emergency; c) design and management measures to address the potential environmental impacts of an emergency situation, including measures for containment of contaminated fire-fighting water, fuel spills and gaseous combustion products; and d) details of a training and testing program to ensure that all operational staff are familiar with the Emergency Response Plan. 	<p>Operational Emergency Response Plan, SIMTA, 26/03/20 (the OERP)</p> <p>Letter DPIE to Qube, 10/12/19 (approval of OERP [B116], inclusive of BEEMP [B143], BMP [B144] and FERP [B52])</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p>	<p>An OERP was prepared to address requirements a-d of this condition. It was initially approved by the Department on 10/12/19</p> <p>On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site</p>	C
WASTE MANAGEMENT				
Construction and demolition waste management				
B117	All waste generated by the project must be assessed, classified and managed in accordance with the <i>Waste Classification Guidelines Part 1: Classifying Waste EPA 2014</i> .	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B118	Prior to the commencement of early works, the Applicant must prepare a Construction and Demolition Waste Management Plan for the development to the satisfaction of the Secretary. The plan must form part of the CEMP required by condition C1 and must detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B119	<p>The Applicant must:</p> <ul style="list-style-type: none"> a) not commence construction until the Construction and Demolition Waste Management Plan is approved by the Secretary; and b) carry out the development in accordance with the most recent version of the Construction and Demolition Waste Management Plan approved by the Secretary. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Operational waste management				
B120	<p>Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development to the satisfaction of the Secretary. The Waste Management Plan must form part of the OEMP required by condition C3 and be prepared in accordance with condition C7. The Plan must:</p> <ul style="list-style-type: none"> a) detail the type and quantity of waste to be generated during operation of the development; b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014) (as may be updated or replaced from time to time); c) detail the materials to be reused or recycled, either on or off site; and 	<p>Operational Waste and Resources Management Plan, SIMTA, 27/03/20 (the OWRMP)</p> <p>Letter DPIE to Qube, 09/09/19 (approval of OEMP [C3], SIOMP [C3/B49], OAQMP [C3/B59], HIP [C3/B101], ONVMP [C3/b83], OFFMP</p>	<p>An OWRMP was prepared to address requirements a-d of this condition. It was initially approved by the Department on 09/09/19.</p> <p>On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	d) include the Management and Mitigation Measures included in APPENDIX B.	[C3/B110], OWRMP [C3/B120], OSDI [B82]) Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)	and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site	
B121	Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site or be deposited on or otherwise enter neighbouring public or private properties.	Operational Waste and Resources Management Plan, SIMTA, 27/03/20 (the OWRMP) Letter DPIE to Qube, 09/09/19 (approval of OEMP [C3], SIOMP [C3/B49], OAQMP [C3/B59], HIP [C3/B101], ONVMP [C3/b83], OFFMP [C3/B110], OWRMP [C3/B120], OSDI [B82]) Site inspection 10/05/21 Warehouse Operational Environmental Management Plans (various) (WOEMP)	An OWRMP was prepared to address this condition. It was approved by the Department on 09/09/19. The WOEMPs were prepared and address waste management for their operations. Compliance with the waste management requirements is a requirement on the tenant. Waste storage areas were inspected during the audit. They appeared to be well organised. No uncontrolled waste was observed on or off site.	C
Statutory requirements				
B122	All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.	Operational Waste and Resources Management Plan, SIMTA, 27/03/20 (the OWRMP) Warehouse Operational Environmental Management Plans (various) (WOEMP) 2021 Waste Report - 400 Moorebank Ave Jan_Mar 2021 Caesarstone1305, metal recycling dockets Caesarstone Suez invoice Jan 2021 Waste Management Register 2021, Federal Hospitality Wastefree EPL 20572	An OWRMP was prepared to address this condition. It was approved by the Department on 09/09/19. The WOEMPs were prepared and address waste management for their operations. Compliance with the waste management requirements is a requirement on the tenant. Records sighted indicate that the waste generated comprises metals, general office waste, paper and cardboard. The waste appears to be transported by authorised transporters to authorised facilities. The auditor notes that the records sighted are not exhaustive.	C
B123	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 (EPA, 2014)</i> .	Operational Waste and Resources Management Plan, SIMTA, 27/03/20 (the OWRMP)	An OWRMP was prepared to address this condition. It was approved by the Department on 09/09/19.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Warehouse Operational Environmental Management Plans (various) (WOEMP)</p> <p>2021 Waste Report - 400 Moorebank Ave Jan_Mar 2021</p> <p>Caesarstone1305, metal recycling dockets</p> <p>Caesarstone Suez invoice Jan 2021</p> <p>Waste Management Register 2021, Federal Hospitality</p> <p><i>Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).</i></p>	<p>The WOEMPs were prepared and address waste management for their operations. Compliance with the waste management requirements is a requirement on the tenant.</p> <p>The wastes generated during operations are pre-classified under the <i>Waste Classification Guidelines</i> as liquid wastes or GSW.</p>	
B124	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal unless it satisfies these conditions.	<p>Operational Waste and Resources Management Plan, SIMTA, 27/03/20 (the OWRMP)</p> <p>Warehouse Operational Environmental Management Plans (various) (WOEMP)</p> <p>Site inspection 10/05/21</p>	<p>An OWRMP was prepared to address this condition. It was approved by the Department on 09/09/19.</p> <p>The WOEMPs were prepared and address waste management for their operations. Compliance with the waste management requirements is a requirement on the tenant.</p> <p>Wastes did not appear to have been received during the site inspection. Warehouses inspected were confined to storage and handling of the products that they provide.</p>	C
B125	The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA	Refer response to B123	The wastes generated during operations are pre-classified under the <i>Waste Classification Guidelines</i> as liquid wastes or GSW. These wastes do not require analyses. Waste reports provided by waste service contractors and the waste registers identify the waste types. Records were available.	C
B126	The collection of waste generated during operation of the development must be undertaken between 7 am to 10 pm Monday to Friday.	<p>Operational Waste and Resources Management Plan, SIMTA, 27/03/20 (the OWRMP)</p> <p>Warehouse Operational Environmental Management Plans (various) (WOEMP)</p> <p>Complaints register current to 31/05/21</p>	<p>An OWRMP was prepared to address this condition. It was approved by the Department on 09/09/19.</p> <p>The WOEMPs were prepared and address waste management for their operations. Compliance with the waste management requirements (including hrs) is a requirement on the tenant.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			No complaints received regarding this requirement.	
Pests, vermin and noxious weed management				
B127	<p>The Applicant must:</p> <ul style="list-style-type: none"> a) take all reasonable steps to manage pests and vermin on the site; b) manage declared noxious weeds on the site in accordance with the requirements of the Noxious Weeds Act 1993; and c) inspect the site on a regular basis, no less than every 3 months, 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><i>Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.</i></p>	<p>Operational Flora and Fauna Management Plan, SIMTA, 27/03/20 (the OFFMP)</p> <p>Site inspection 10/05/21</p> <p>MPE Operational – Weed Monitoring Report December 2020, Arcadis 18/12/20</p> <p>MPE Operational – Weed Monitoring Report February 2021, Arcadis, 26/02/21</p> <p>MPE Operational – Weed Monitoring Report April 2021, Arcadis, 11/05/21</p>	<p>This condition is addressed within the OFFMP, approved by the Department on 09/09/19.</p> <p>Bimonthly weed inspection has been undertaken to identify/verify additional weeds and any weed treatments.</p> <p>No pests, weeds or vermin were observed on site. The site was quite clean and free of waste that may attract vermin.</p>	C
Contamination				
B128	The Applicant must provide the NSW EPA with a copy of all reports to date relating to the assessment of per- and poly-fluoroalkyl substances including perfluorooctanoate (PFAS) undertaken for the Site within 3 months of this consent.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B129	Prior to the commencement of early works or construction on site, the Applicant must engage a Site Auditor accredited under the EPA <i>Contaminated Land Management Act 1997</i> NSW Site Auditor Scheme.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B130	<p>Prior to an occupation certificate being issued, the Applicant must submit to the Secretary a Site Audit Statement, prepared in accordance with the <i>NSW Contaminated Land Management – Guidelines for the NSW Site Auditor Scheme (3rd edition, 2017)</i>, which demonstrates that the site is suitable for its intended land use (i.e. Section 'A').</p> <p>The Site Auditor must consider the most up to date PFAS guidance.</p>	<p>DPIE post approval lodgement record 16/04/20 (submission of third of three SASs for SSD 6766 (not SSD 7628))</p> <p>Email chain, DPIE and Tactical, 25/03/19 – 31/05/19 (Staging of SASs for SSD7628 and submission of the first SAS for SSD 7628)</p> <p>DPIE post approval lodgement record 06/05/20 (submission of SAS for Lot 22 within SSD 7628).</p>	<p>According to the Occupation Certificates granted by the Certifier, SARs and SASs have been obtained for each site. The Occupation Certificate Matrix for Target Warehouse 1 also includes a check that the submission of the Department had been completed on 31/05/19. The SAS for Lot 23 is presented on the Departments website.</p> <p>Non-compliance: A request was made for the auditee to provide evidence of the Site Audit Statement/s being submitted to the</p>	NC

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Interim Occupation Certificate No. 19/124520-5 (whole of Warehouse 1), Mckenzie Group, 21/06/19</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/20</p> <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/20</p> <p>Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/20</p> <p>https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-7628-PA-63%2120200722T035134.773%20GMT</p>	<p>Department. In response the auditee presented:</p> <ul style="list-style-type: none"> the agreement from DPIE to stage the submission of SASs for SSD 7628 along with the submission of the first SAS. However the SAS was not presented and the Auditor cannot ascertain the land to which it relates. The DPIE post approval lodgement records for the SAS for Lot 22. Again the SAS was not presented and therefore the Auditor cannot confirm the land to which this relates. Copies of each SAS along with a statement that each Occupation Certificate refers to the SAS. <p>The Auditor is unable to confirm if SASs have been submitted to the Department for each / all warehouses that have been developed / had Occupation Certificates issued.</p>	
B131	If the Site Auditor determines that further assessment of PFAS is required to adequately assess the site in accordance with the current guidance "Designing Sampling Programs for Sites Potentially Contaminated by PFAS (EPA 2016), the assessment(s) are to be completed and submitted to the EPA within 6 months of granting of consent	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B132	Should the Applicant identify a potential risk to off-site receptors due to PFAS contamination, the Applicant must contact the NSW EPA as soon as practicable to discuss requirements for community consultation and long-term management.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B133	Prior to any demolition on the site, and entry and any subsurface activities within the southern burial pits, an UXO, EO and EOW Site Assessment Survey must be undertaken by an UXO contractor listed on the Defence Panel of suitably qualified UXO consultants and contractors and submitted to the Secretary.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B134	Prior to early works and fill importation, a Contamination Management Plan must be prepared to the satisfaction of the Secretary and form part of the CEMP required under condition C1. The Contamination Management Plan is to be based on the	-	This audit addresses the operational requirements only. Audits for the construction	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>Environmental Management Plan prepared by GHD (2016) and results of the UXO, EO and EOW Site Assessment Survey and must take into account additional risks posed by the proposed works and in particular:</p> <ul style="list-style-type: none"> a) excavation within the southern burial pits; b) removal/remediation of underground storage tanks; c) disturbance of soil containing asbestos material; and d) demolition of buildings containing asbestos materials. 		phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	
B135	<p>The Contamination Management Plan must include:</p> <ul style="list-style-type: none"> a) an UXO, EO and EOW management and remediation plan, prepared by a qualified person(s) listed on the Defence Panel; b) an Asbestos Management Plan; and c) Unexpected Finds Procedure. <p>The Contamination Management Plan must be approved by a NSW EPA Accredited Site Auditor prior to submission to the Secretary.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B136	<p>Following demolition, a supplementary UXO, EO and EOW Site Assessment Survey is to be undertaken and an updated Contamination Management Plan is to be prepared to the satisfaction of the Secretary to address any additional contamination issues identified. Remediation works must only be carried out by suitably qualified and experienced contractor(s) including a contractor listed on the Defence Panel in the case of UXO, EO and EOW.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B137	<p>Details of any containment cells located on the site following remediation shall be provided to the Secretary, including relevant GPS data on the extent of the cell and details of the long-term management of the cells.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B138	<p>All containment cells located on the site following remediation shall be registered on title including, details of relevant Contamination Management requirements.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
URBAN DESIGN, VISUAL AMENITY AND LANDSCAPE				
Urban heat island mitigation strategy				
B139	<p>Prior to commencement of permanent built surface works and/or landscaping, or as otherwise agreed by the Secretary, an Urban Heat Island (UHI) Mitigation Strategy must be prepared and submitted to the Secretary for approval, in consultation with the NSW Government Architect. The UHIMS must be prepared by a suitably qualified and experienced person(s).</p> <p>The UHI Mitigation Strategy must</p> <ul style="list-style-type: none"> a. review the current architectural details, building layout, landscaping provision, shading provision, landscape irrigation, stormwater water detention and WSUD, as well as building and paving material specifications; b. make recommendations to mitigate the UHI effects generated by the development including but not limited to: 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> i. provision of WSUD elements; ii. street tree planting; iii. landscape coverage and screening; iv. use of building material including reflectivity; v. use of pavement material including reflectivity; vi. improved green space maintained by independent, climate resilient water supplies, to achieve increased amenity and urban cooling; and vii. heat generation from operations; and c. include a design strategy with the goal to achieve a 4°C degree decrease in temperature compared to neighbouring industrial developments; d. details of where and how recommendations from the UHI Mitigation Strategy have been incorporated into the: <ul style="list-style-type: none"> i. updated final Development Layout Plans and WSUD Plans required by conditions A22 and A23; ii. updated final architectural details required by condition A24; iii. UDLP required by condition B141; iv. CEMP required by condition C1; and v. OEMP required by condition C3. 		Refer to CoC B140 for note on approval of the UDLP (which incorporates recommendations from the UHIMS).	
Urban design and landscape plan				
B140	<p>Prior to commencement of permanent built surface works and/or landscaping, or as otherwise agreed by the Secretary, an Urban Design and Landscape Plan (UDLP) must be prepared. The UDLP must be prepared by a suitably qualified and experienced person(s), in consultation with the relevant council(s). The UDLP must be approved by the Secretary, in consultation with the NSW Government Architect. The UDLP must present an integrated urban and landscape design for the development, and must include, but not be limited to:</p> <ul style="list-style-type: none"> a. identification of design objectives, principles and standards based on – <ul style="list-style-type: none"> i. local environmental values, ii. urban design context, iii. sustainable design and maintenance, iv. community, visitor and worker safety, amenity and privacy, including ‘safer by design’ principles where relevant, v. relevant design standards and guidelines, vi. addressing the visual amenity and values of adjoining receivers, vii. minimising and addressing the footprint of the project (including at operational facilities), and viii. the urban design principles outlined in the documents referred to in condition A2; c. landscaping and building design opportunities to mitigate the visual impacts of buildings and infrastructure particularly when viewed from Moorebank Avenue, Wattle Grove, and Casula); d. details on the location of existing vegetation and proposed landscaping (including use of endemic and advanced tree species where practicable). Details of species to be replanted/revegetated must be provided, including their appropriateness to the area and habitat for threatened species. Where feasible and reasonable, top soil and vegetation to be removed must be reused; e. details of pedestrian movement through the site and to surrounding areas for employees; f. incorporate the following: <ul style="list-style-type: none"> i. a minimum landscaped width of 10m within the 18m setback from Moorebank Avenue; 	<p>Consolidated Urban Design and Landscape Plan, 18/12/20</p> <p>Cycling and Pedestrian Access and Facilities Sub Plan, 03/11/20</p> <p>Landscape Vegetation Management Sub Plan, 03/11/20</p> <p>Lighting Sub Plan, 03/11/20</p> <p>Employee Outdoor Meal Break Area Sub Plan, 03/11/20</p> <p>Signage Sub Plan, 03/11/20</p>	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p> <p>The auditor notes however that the Department conditionally approved the Consolidated Urban Design and Landscape Plan, Cycling and Pedestrian Access and Facilities Sub Plan, Landscape Vegetation Management Sub Plan, Lighting Sub Plan, Employee Outdoor Meal Break Area Sub Plan and the Signage Sub Plan. The approval was conditional on the basis that the UDLP and associated sub-plans were updated prior to the construction of permanent built surface works for each future stage.</p>	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> ii. the footprint of the warehouses along the eastern boundary must be reduced so that the car parking area and warehouse can be setback a minimum of 5m from the eastern internal road to provide visual screening of the building, and adequate landscape width to support canopy trees; iii. landscaping located around the car parking areas is to support sufficient canopy trees to provide visual screening to the warehouse buildings; iv. 15% of the site landscaped at ground level, 10% of which must include soft landscaping and not include land set aside for future access ways; v. minimum rate of 1 canopy tree per 30m2 of landscaped area; vi. a 2.5 m wide landscaped bay every 6-8 car spaces incorporating canopy trees for shade; vii. perimeter site screening using advanced shrubs and canopy trees; viii. perimeter and on-site detention and biofiltration/bioretenion basin fences higher than 1.2m must be transparent and dark in colour but not constructed of chain wire. g. include a planting schedule including details of the soil specification and depth and irrigation systems as well as tree and shrub species, expected mature height, pot sizes and planting densities) and deep soil areas containing soil (not spoil); h. a description of the retaining walls, including the graphics such as sections, perspective views and material details; i. details of the landscaped areas and solid fencing required to screen waste bin or other outside storage areas; j. graffiti management commitments and provisions; k. the sub-plans identified in condition B141; l. details of where and how recommendation from the UDLP and sub plans have been incorporated into the: <ul style="list-style-type: none"> i. updated final Development Layout Plans and WSUD Plans required by conditions A22 and A23; ii. updated Architectural Plans required by condition A24, including architectural elements to articulate building facades and minimise large expanses of blank walls iii. updated OEMP required by condition C3; m. details of how the principles of Ecologically Sustainable Development listed at condition B143, in particular rainwater capture and reuse and energy efficiency have been incorporated into the UDLP and final Stormwater Management Plan plans required by Condition B40 n. details how the Heritage Interpretation Plan required by condition B101 has been incorporated into the UDLP; o. details of how the UHI Mitigation Strategy required by condition B140 has been incorporated into the UDLP and final Development Layout, Stormwater Management Plan and Architectural Details; p. details of where and how recommendations from the Flora and Fauna Management Plan for adjoining offset area (condition B108) have been incorporated into the UDLP, q. details of where and how recommendations from the Bushfire Management Plan (condition B144) have been incorporated into the UDLP, r. details of where and how employee facilities including but not limited to secure bicycle parking, pedestrian paths, outdoor eating areas have been incorporated into the UDLP; and s. evidence of consultation with the Relevant Council(s), prior to finalisation of the UDLP. <p>The UDLP must be implemented prior to occupation of the warehouse and freight village, unless otherwise agreed by the Secretary.</p> <p><i>Note:</i></p>			

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	<p><i>The UDLP may be submitted in parts to address the built elements of the development and landscaping aspects of the development.</i></p>			
B141	<p>The Urban Design and Landscape Plan must include the following sub-plans:</p> <ul style="list-style-type: none"> a. a Landscape Vegetation Management Sub Plan to assist in the monitoring and maintenance of landscape elements required to be delivered as part of the approval. The Plan must be prepared and approved by the Secretary within twelve months of the date of this approval, unless otherwise agreed by the Secretary. • The Plan must provide details of the monitoring and maintenance procedures for the landscape vegetation elements, rehabilitated vegetation and landscaping (including weed and pathogen control) including performance indicators, identification of commitments, identification of the responsibilities of each entity involved in the management of the intermodal precinct including the overarching management responsibilities and obligations for common land and tenant responsibilities, timing and duration, as well as contingencies where rehabilitation of vegetation and landscaping measures fail. • The approved plan must be implemented prior to occupation of the warehouse and freight village. b. Lighting Sub Plan to assist in the control of lighting and reduce the visual impact of the 24-hour operational facility when viewed from residents within residential areas within the locality. The Plan must provide an assessment of the location, design specification and impacts of operational lighting associated with the development and measures proposed to minimise lighting impacts and standardise lighting design within the MPE development. The Plan must be prepared and approved by the Secretary. The Applicant must ensure that the lighting associated with the development: <ul style="list-style-type: none"> i. complies with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); ii. is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network; and iii. is designed to reduce light spill and mitigate the visual impact of the 24-hour facility when viewed from the residential areas in the locality and the Boot Land. c. The Lighting Sub Plan must identify and provide details of the common and individual lighting throughout the development to reduce light spill and mitigate visual impact on the residential areas in the locality by: <ul style="list-style-type: none"> i. eliminating upward spill light; ii. directing light downwards, not upwards; iii. using shielded fittings; iv. avoiding 'over' lighting; v. switching lights off when not required; vi. using energy efficient bulbs; vii. using asymmetric beams, where floodlights are used; viii. ensuring lights are not directed towards reflective surfaces; and ix. using warm white colours. • The approved plan must be implemented prior to occupation of the warehouse and freight village. d. Cycling and Pedestrian Access and Facilities Sub Plan to assist in safe cycling and pedestrian connectivity through the MPE precinct by providing dedicated linkages between the warehouses, the freight village and Moorebank Avenue that will contribute to the quality and safety of the pedestrian and cyclist environment associated with the development. The Plan must be prepared by a suitably qualified and experienced person(s) and approved by the Secretary within 	<p>Consolidated Urban Design and Landscape Plan, 18/12/20</p> <p>Cycling and Pedestrian Access and Facilities Sub Plan, 03/11/20</p> <p>Landscape Vegetation Management Sub Plan, 03/11/20</p> <p>Lighting Sub Plan, 03/11/20</p> <p>Employee Outdoor Meal Break Area Sub Plan, 03/11/20</p> <p>Signage Sub Plan, 03/11/20</p>	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p> <p>The auditor notes however that the Department conditionally approved the Consolidated Urban Design and Landscape Plan, Cycling and Pedestrian Access and Facilities Sub Plan, Landscape Vegetation Management Sub Plan, Lighting Sub Plan, Employee Outdoor Meal Break Area Sub Plan and the Signage Sub Plan. The approval was conditional on the basis that the UDLP and associated sub-plans were updated prior to the construction of permanent built surface works for each future stage.</p>	NT

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	<p>twelve months of the date of this approval, unless otherwise agreed by the Secretary.</p> <ul style="list-style-type: none"> • The Plan must be prepared by a suitably experienced and qualified person(s) in the design and provision of Cycling and Pedestrian Access and Facilities. The Plan must detail the construction, timing and responsibility for the delivery of Cycling and Pedestrian Access and Facilities and take into account the following considerations: <ul style="list-style-type: none"> i. all relevant policies, guidelines and plans; ii. provide details for the provision of safe and efficient pedestrian and cyclist access connectivity within the development and include integration with the existing and future pedestrian and cycling access in the locality; iii. provide details of end of trip facilities available on-site at each warehouse which are to include under cover bike storage, showers and change facilities sufficient to accommodate the needs of the forecast number of employee; and iv. the layout, design and security of bicycle facilities must comply with the minimum requirements of <i>Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities</i>. • The approved plan must be implemented prior to occupation of the warehouse and freight village e. Employee Outdoor Meal Break Area sub plan to provide employee amenity associated with the development. The Plan must identify and facilitate the construction and establishment of employee outdoor meal break area and be prepared by a suitably experienced and qualified person(s) and submitted to the Secretary for approval. • The Plan must be prepared by a suitably experienced and qualified person(s) in the design and provision of outdoor open space. The Plan must detail the construction, timing and responsibility for the delivery and maintenance of an individual employee outdoor meal break areas for each warehouse and a communal employee/visitor eating area at the freight village and take into account the following considerations: <ul style="list-style-type: none"> i. all relevant policies, guidelines and plans; ii. the type of facilities to be provided having regard to forecast future employee and visitor needs; iii. provide detail of the siting and design of outdoor eating areas including seating, lighting, paving, landscaping, screening, shading, vermin proof waste storage and security; and iv. include details of the maintenance and waste collection responsibilities. • Where it can be demonstrated to the satisfaction of the Secretary, that an outdoor break area cannot be accommodated on site for each warehouse, an internal eating/sitting area is to be provided within each warehouse and details provided within this subplan. • The approved plan must be implemented prior to occupation of the warehouse and freight village. f. Signage Sub Plan to assist in the management of individual building, wayfinding and common directory signage associated with the development. The Plan must be prepared by a suitably experienced and qualified person(s). and submitted to the Secretary for approval. • The Plan must detail the design, illumination, construction, timing and responsibility for the delivery and maintenance of individual building and common directory signage and take into account the following considerations: <ul style="list-style-type: none"> i. provision of wayfinding signage for internal streets to individual buildings and loading docks; ii. individual building signage integration within building forms no higher than 3m above the finished ground; iii. no general advertising; iv. no form of moving or flashing signs; v. no east or south facing illuminated building signage; vi. details of the location and specifications of the common directory board; vii. signs are to display corporate logos and company names and must not to occupy more than 10% of any façade or wall of building; and viii. internally illuminated signs are not permitted. • The approved common directory board and wayfinding signs plan must be implemented prior to occupation of the 			

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	warehouse and freight village.			
Ecologically sustainable development				
B142	Warehouses and the freight village must be designed and operated to meet ESD principles including: <ol style="list-style-type: none"> passive solar design; use of energy efficient plant and equipment; use of renewable energy sources; cross-ventilation selection of materials with lower energy manufacturing requirements; use of locally sourced materials to reduce impacts associate with transport; rainwater capture and reuse; water efficient fixtures and fittings; and waste minimisation and recycling. 	Operational Waste and Resources Management Plan, SIMTA, 27/03/20 (the OWRMP) Site inspection 10/05/21	This condition is addressed within the OWRMP, initially approved by the Department on 09/09/19. Individual warehouses have been designed to meet a minimum 4 star – Green Star accreditation, meaning that warehouses will typically include: <ul style="list-style-type: none"> Passive solar design LED lightbulbs (sighted during inspection) Solar Photovoltaic cells (sighted during inspection) Cool building materials Large awnings over receiving docks (sighted during inspection) Rainwater harvesting via rainwater tanks (sighted during inspection) Water efficient toilet fixtures (sighted during inspection) 	C
Bushfire management				
B143	Before the commencement of construction, the Applicant must ensure that a Bushfire Emergency and Evacuation Plan is prepared. The Plan must form part of the CEMP and OEMP required by conditions C1 and C3 and must: <ol style="list-style-type: none"> be prepared by a suitably qualified and experienced person(s); be consistent with the Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan, December 2014 and Australian Standard AS3745 2010 Planning for Emergencies in Facilities; and a copy of the plan must be submitted to the Secretary, NSW Rural Fire Service, Council and the Certifying Authority prior to occupation. 	Operational Emergency Response Plan, SIMTA, 26/03/20 (the OERP) Letter DPIE to Qube, 10/12/19 (approval of OERP [B116], inclusive of BEEMP [B143], BMP [B144] and FERP [B52]) Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval) Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/21 (the BEEMP) Letter DPIE to Qube, 10/08/20 (approval of revised BEEMP)	The OERP and BEEMP were prepared to address this condition. They were initially approved by the Department on 10/12/19 On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site. On 10/08/20 the Department approved the revised BEEMP.	C

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B144	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 2006</i> and the NSW Rural Fire Service's document <i>Standards for asset protection zones</i> . An updated Bushfire Management Plan must be prepared by a suitably qualified person(s) having regard to the amended final plans and demonstrating that the bushfire asset protection zones can be contained wholly within the site boundary and that management of the inner protection zone will not impact on the Boot Land. The Bushfire Management Plan must be approved by the RFS and submitted to the Secretary prior to construction of permanent access or buildings, unless otherwise agreed by the Secretary.	Operational Emergency Response Plan, SIMTA, 26/03/20 (the OERP) Letter DPIE to Qube, 10/12/19 (approval of OERP [B116], inclusive of BEEMP [B143], BMP [B144] and FERP [B52]) Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval) Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/21 (the BEEMP) Letter DPIE to Qube, 10/08/20 (approval of revised BEEMP) Letter Blackash to Arcadis, 27/01/21 (review of APZs)	The OERP and BEEMP were prepared to address this condition. They were initially approved by the Department on 10/12/19 On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site. On 10/08/20 the Department approved the revised BEEMP. The Bushfire consultant reviewed the APZs and confirmed that the Project will achieve Bushfire Attack Level (BAL) 12.5, or BAL 19 which is well above the deemed to satisfy requirements of PBP 2006.	C
B145	Public road access must comply with section 4.1.3(1) of <i>Planning for Bush Fire Protection 2006</i> except for the requirement for through-access.	Operational Emergency Response Plan, SIMTA, 26/03/20 (the OERP) Letter DPIE to Qube, 10/12/19 (approval of OERP [B116], inclusive of BEEMP [B143], BMP [B144] and FERP [B52]) Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval) Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/21 (the BEEMP) Letter DPIE to Qube, 10/08/20 (approval of revised BEEMP) Letter Blackash to Arcadis, 27/01/21 (review of APZs)	The OERP and BEEMP were prepared to address this condition. They were initially approved by the Department on 10/12/19 On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site. On 10/08/20 the Department approved the revised BEEMP. The Bushfire consultant reviewed the APZs and confirmed that the Project will achieve Bushfire Attack Level (BAL) 12.5, or BAL 19 which is well above the deemed to satisfy requirements of PBP 2006.	C
B146	The provision of water, electricity and gas must comply with section 4.1.3 of <i>Planning for Bush Fire Protection 2006</i> .	Operational Emergency Response Plan, SIMTA, 26/03/20 (the OERP) Letter DPIE to Qube, 10/12/19 (approval of OERP [B116], inclusive of BEEMP [B143], BMP [B144] and FERP [B52])	The OERP and BEEMP were prepared to address this condition. They were initially approved by the Department on 10/12/19 The Bushfire consultant reviewed the APZs and confirmed that the Project will achieve Bushfire Attack Level (BAL) 12.5, or BAL 19 which is well	C

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		Letter Blackash to Arcadis, 27/01/21 (review of APZs)	above the deemed to satisfy requirements of PBP 2006.	
Ancillary facilities				
B147	<p>Ancillary facilities that are not identified by description and location in the documents listed in A2 must not be constructed unless they satisfy the following criteria:</p> <ul style="list-style-type: none"> a. the facility is development of a type that would, if it were not for the purpose of the development, otherwise be exempt or complying development; or b. the facility is located as follows: <ul style="list-style-type: none"> i. at least 50 metres from any waterway unless an erosion and sediment control plan is prepared and implemented so as not to affect water quality in the waterway in accordance with Managing Urban Stormwater series; ii. within or adjacent to land upon which the development is being carried out; iii. with ready access to a road network; iv. so as to avoid the need for heavy vehicles to travel on local streets or through residential areas in order to access the facility; v. on level land; vi. so as to be in accordance with the INCG (DECC 2009) or as otherwise agreed in writing with affected landowners and occupiers; vii. so as not to require vegetation clearing beyond the extent of clearing approved under other terms of this approval except as approved by the ER as minor clearing; viii. so as not to have any impact on heritage items (including areas of archaeological sensitivity) beyond the impacts identified, assessed and approved under other terms of this approval; ix. so as not to affect lawful uses of adjacent properties that are being carried out at the date upon which construction or establishment of the facility is to commence; x. to enable operation of the ancillary facility during flood events and to avoid or minimise, to the greatest extent practicable, adverse flood impacts on the surrounding environment and other properties and infrastructure; and xi. so as to have sufficient area for the storage of raw materials to minimise, to the greatest extent practicable, the number of deliveries required outside standard construction hours. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B148	<p>Prior to establishment of any ancillary facility that is not identified by description and location in the documents listed in A2 that satisfies the criteria in condition B148, the Applicant must prepare and implement an Ancillary Facilities Management Plan which outlines the environmental management practices and procedures for the establishment and operation of the ancillary facility. The Ancillary Facilities Management Plan must be prepared in consultation with the relevant council and submitted to the Secretary for approval one month prior to installation of ancillary facilities. The Ancillary Facilities Management Plan must detail the management of the ancillary facilities and include:</p> <ul style="list-style-type: none"> a. a description of activities to be undertaken during construction (including scheduling of construction); b. a program for ongoing analysis of the key environmental risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken prior to the commencement of construction of the development; and c. details of how the activities described in subsection (a) of this condition will be carried out to: <ul style="list-style-type: none"> i. meet the performance outcomes stated in the documents listed in conditions A2; and ii. manage the risks identified in the risk analysis undertaken in subsection (b) of this condition. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

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B149	<p>Minor ancillary facilities comprising lunch sheds, office sheds, and portable toilet facilities, that are not identified in the documents listed in condition A2 and which do not satisfy the criteria set out in condition B148 of this approval must satisfy the following criteria:</p> <ul style="list-style-type: none"> a. have no greater environmental and amenity impacts than those that can be managed through the implementation of environmental measures detailed in the CEMP required under condition C1 of this approval; and b. have been assessed by the ER to have: <ul style="list-style-type: none"> I. minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the INCG (DECC 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts; 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. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B150	Boundary screening must be erected around all ancillary facilities that are adjacent to sensitive receivers for the duration of construction unless otherwise agreed with relevant Council(s), and affected residents, business operators or landowners.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
B151	Boundary screening required under condition B150 must minimise visual, noise and air quality impacts on adjacent sensitive receivers.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
Food preparation areas				
B152	<p>All food premises must be designed, constructed and operated to meet legislative requirements and Australian Standards including:</p> <ul style="list-style-type: none"> a. the Australian New Zealand Food Standards Code including Food Safety Standard 3.2.2 <i>Food Premises and Equipment</i>; b. AS 4674-2004: Design, construction and fit out of food premises; c. AS 4322-1995: Quality and performance of commercial electrical appliances – Hot food storage and display equipment; d. AS ISO 22000-2005: Food safety management systems-Requirements for any organisation in the food chain. 	<p>Interview with auditees 10/05/21</p> <p>Site inspection 10/05/21</p>	There are no food premises	NT
B153	The Applicant must obtain a certificate from a suitable qualified tradesperson, certifying that kitchen, food storage and food preparation areas have been fitted in accordance with <i>Australian Standard AS4674</i> . The Applicant must provide evidence of receipt of the certificate to the satisfaction of the Certifying Authority prior to occupation.	<p>Interview with auditees 10/05/21</p> <p>Site inspection 10/05/21</p>	There are no food premises	NT
COMMUNITY ENGAGEMENT				
Community consultative committee				
B154	Before early works and fill importation a Community Consultative Committee (CCC) must be established for the Moorebank Intermodal Precinct (MPE and MPW) in accordance with the Department's <i>Community Consultative Committee Guidelines</i> :	https://simta.com.au/project-wide/	The CCC was established well before commencement of operations. According to the	C

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	<p><i>State Significant Projects</i> (2016). The CCC must function for the duration of construction and for at least 5 years following commencement of operation.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> The CCC is an advisory committee only. In accordance with the guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, Council and the local community. 		minutes available on line the CCC continues to meet at the set intervals and involves representatives from each of the stakeholders identified.	
Community communication strategy				
B155	<p>No later than one month before early works and fill importation, a Community Communication Strategy must be prepared and submitted to the Secretary for approval. The Community Communication Strategy is to provide mechanisms to facilitate communication between the Applicant, the Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development. The Community Communication Strategy must:</p> <ol style="list-style-type: none"> assign a central contact person to keep the nearby sensitive receivers regularly informed throughout the development; 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; detail a procedure for consulting with nearby sensitive receivers to schedule high noise generating works or manage traffic disruptions; include contact details for key community groups, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders; and include a complaints procedure for recording, responding to and managing complaints, including: <ol style="list-style-type: none"> email, toll-free telephone number and postal address for receiving complaints; advertising the contact details for complaints prior to and during operation, via the local newspaper and through on-site signage; 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 procedures for the resolution of any disputes that may arise during the course of the development. 	<p>Operation Community Communication Strategy, SIMTA, 27/03/20 (the OCCS)</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p> <p>Letter DPIE to Qube, 10/05/21 (acknowledgment of updated OEMP and OCCS)</p>	<p>The original CCS was prepared prior to construction.</p> <p>On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site.</p> <p>On 10/05/21 the Department acknowledged n update to the OCCS.</p>	C
B156	<p>The Applicant must:</p> <ol style="list-style-type: none"> not commence construction until the Community Communication Strategy is approved by the Secretary; implement the approved Community Communication Strategy for the duration of the development and for 24 months following the completion of operation. 	<p>Operation Community Communication Strategy, SIMTA, 27/03/20 (the OCCS)</p> <p>https://simta.com.au/project-wide/</p>	The OCCS was prepared and approved prior to construction and remains in place.	C
B157	The Complaints Register must be provided to the Secretary within 7 days upon request, for the period detailed within the request.	https://simta.com.au/wordpress/wp-content/uploads/2021/06/SIMTA-Online-Complaints-document-to-May-2021.pdf	The complaints register is available on line, updated monthly.	C
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN				
C1	<p>Before the commencement of construction, a Construction Environmental Management Plan (CEMP) must be prepared to the satisfaction of the Secretary. The CEMP must:</p> <ol style="list-style-type: none"> identify the statutory approvals required to carry out the development; outline all environmental management practices and procedures to be followed during construction works associated with the development; 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> c. describe all activities to be undertaken on the site during construction of the development, including a clear indication of construction stages; d. detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts; e. describe the roles and responsibilities for all relevant employees involved in construction works associated with the development; and f. include the management plans required under this approval, including: <ul style="list-style-type: none"> i. Construction Traffic and Access Management Plan; ii. Concrete Batching Plant Management Plan; iii. Soil and Water Management Plan; iv. Flood Emergency Response Plan; v. Construction Air Quality Management Plan; vi. Construction Noise and Vibration Management Plan; vii. Heritage Management Plan; viii. Construction Flora and Fauna Management; ix. Construction and Demolition Waste Management Plan; x. Contamination Management Plan; and xi. Bushfire Emergency and Evacuation Plan. 			
C2	<p>The Applicant must:</p> <ul style="list-style-type: none"> a. not commence construction until the CEMP is approved by the Secretary; and b. carry out the construction of the development in accordance with the most recent version of the CEMP approved by the Secretary, unless otherwise agreed by the Secretary. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN				
C3	<p>Before the commencement of operations, a Precinct Operational Environmental Management Plan (OEMP) must be prepared to the satisfaction of the Secretary. The OEMP must:</p> <ul style="list-style-type: none"> a. be prepared by a suitably qualified and experienced expert; b. provide the strategic framework for environmental management of the development; c. identify the statutory approvals required to carry out the development; d. Identify the infrastructure to be managed under the Precinct OEMP which is to include pavements, stormwater detention and water quality treatment structures and devices; and landscaping. e. describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development including the overall responsibility for the operational environmental management of the freight village; f. describe the procedures to 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 g. include the management plans required under this approval, including: <ul style="list-style-type: none"> i. Operational Traffic and Access Management Plan; ii. Workplace Travel Plan; iii. Stormwater Infrastructure Operation and Maintenance Plan; iv. Flood Emergency Response Plan; 	<p>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, 27/03/20 (and 19/02/21), SIMTA (the OEMP)</p> <p>Stormwater Infrastructure Operation and Maintenance Plan Moorebank Logistics Park – East Precinct, 26/03/20, SIMTA (the SIOMP)</p> <p>Operational Air Quality Management Plan, SIMTA, 27/03/20 (OAQMP)</p> <p>Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP)</p> <p>Heritage Interpretation Plan, 27/06/19</p> <p>Operational Flora and Fauna Management Plan, SIMTA, 27/03/20 (the OFFMP)</p>	<p>The OEMP (Rev 10, dated 30/07/19) was prepared to address requirements a-g of this condition. It was initially approved by the Department on 09/09/19 subject to further updates.</p> <p>The updates were made and the updated OEMP (Rev 14, 05/02/20) was approved on the basis that it reflected the progressive operation of the site with the inclusion of Area 2, submitted under F4 of SSD 6766 and conditions C3 and B16 of SSD 7628 consistent with the approved staged Program for Operational Phase Delivery (POPD). The updated OEMP was approved on 18/03/20.</p> <p>On 08/04/20 the Department confirmed that is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> v. Operational Air Quality Management Plan; vi. Operational Noise and Vibration Management Plan; vii. Heritage Interpretation Plan; viii. Operational Flora and Fauna Management Plan; ix. Waste Management Plan; x. Long-term Contamination Management Plan; and xi. Bushfire Emergency and Evacuation Plan. 	<p>Operational Waste and Resources Management Plan, SIMTA, 27/03/20 (the OWRMP)</p> <p>Operation Community Communication Strategy, SIMTA, 27/03/20 (the OCCS)</p> <p>Operational Emergency Response Plan, SIMTA, 26/03/20 (the OERP)</p> <p>Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/21 (the BEEMP)</p> <p>Letter DPIE to Qube, 09/09/19 (approval of OEMP [C3], SIOMP [C3/B49], OAQMP [C3/B59], HIP [C3/B101], ONVMP [C3/b83], OFFMP [C3/B110], OWRMP [C3/B120], OSDI [B82])</p> <p>Letter DPIE to Qube, 18/03/20 (MPE S1 and S2 OEMP approval)</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p> <p>Letter DPIE to Qube, 10/05/21 (acknowledgment of updated OEMP and OCCS)</p>	<p>out of operations across the Moorebank Precinct East site</p>	
C4	<p>The Applicant must:</p> <ul style="list-style-type: none"> a. not commence operation of the development until the OEMP is approved by the Secretary; and b. operate the development in accordance with the most recent version of the OEMP approved by the Secretary, unless otherwise agreed by the Secretary. 	<p>Refer evidence in CoC C3 above.</p> <p>Email Tactical to DPIE, 18/06/19 (Area 1 commencement)</p> <p>Letter Tactical to DPIE 21/02/20</p>	<p>On 18/06/19 Tactical notified the intended commencement of operations of Area 1 (including Area 1 warehouse, IMEX and RALP). Actual commencement occurred on 17/05/20. The OEMP was initially approved on 09/09/19.</p> <p>On 21/02/20 Tactical notified intended commencement of Area 2, Warehouse 3-5. Actual commencement of Warehouse 3 occurred in Q4 2020.</p> <p>To note: There is complexity around the actual date of commencement of operations for both SSD 7628 and SSD 6766 due to the approach approved through the POPD. This has implications for requirements which are triggered based on the date of commencement of operations.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C5	Overall responsibility of the development, including the freight village environmental management during operation, must be by the entity responsible for the Precinct environmental management.	Site inspection 10/05/21	Qube retains control of the site.	C
Occupation environmental management plan				
C6	Prior to occupation of individual warehouses, a Warehouse OEMP must be submitted to the Secretary for approval and must: <ul style="list-style-type: none"> a. be generally in accordance with the precinct OEMP required under condition C3; b. demonstrate compliance with condition B114 regarding maintenance of quantities of dangerous goods below the screening threshold; and c. include auditing requirements. 	Target Australia Pty Ltd Warehouse Occupation Environmental Management Plan, SIMTA, 19/08/19 Warehouse 3B Warehouse Operational Environmental Management Plan – Federal Hospitality Equipment Environmental Management Plan, 08/03/21 Letter DPIE to Qube, 22/03/21 (approval of Warehouse 3B WOEMP) Warehouse Operation Environmental Management Plan (WOEMP) for Warehouse 4B, 15/10/20 Letter DPIE to Qube, 21/10/20 (approval of Warehouse 4B WOEMP) Warehouse Operation Environmental Management Plan (WOEMP) for Warehouse 5, 15/12/20 Letter DPIE to Qube, 12/01/21 (approval of Warehouse 5 WOEMP) Warehouse Operational Environmental Management Plan (Warehouse 4A, PCA Express), 5/05/21 Letter DPIE to Qube, 21/05/21 (approval of Warehouse 4A WOEMP) Warehouse 3A Warehouse Operational Management Plan - Caesarstone Environmental Management Plan, 19/05/20 Letter DPIE to Qube, 03/06/20 (approval of Warehouse 3A WOEMP)	Each WOEMP was prepared to address requirements a-c of this condition. Each was approved by the Department prior to their operations and each are available online.	C
Management plan requirements				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C7	<p>The Applicant must ensure that the environmental management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <ul style="list-style-type: none"> a. detailed baseline data; b. a description 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/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 management measures to be implemented to comply with the relevant statutory requirements, limits or performance measures/criteria; d. a program to monitor and report on the: <ul style="list-style-type: none"> i. impacts and environmental performance of the development; and ii. effectiveness of any management measures (see (c) above); e. a contingency plan to manage any unpredicted impacts and their consequences; 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. incidents and non-compliances; ii. complaints; iii. non-compliances with statutory requirements; and h. a protocol for periodic review of the plan. <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for a particular management plan.</i></p>	<p>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, 27/03/20 (and 19/02/21), SIMTA (the OEMP)</p> <p>Stormwater Infrastructure Operation and Maintenance Plan Moorebank Logistics Park – East Precinct, 26/03/20, SIMTA (the SIOIMP)</p> <p>Operational Air Quality Management Plan, SIMTA, 27/03/20 (OAQMP)</p> <p>Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP)</p> <p>Heritage Interpretation Plan, 27/06/19</p> <p>Operational Flora and Fauna Management Plan, SIMTA, 27/03/20 (the OFFMP)</p> <p>Operational Waste and Resources Management Plan, SIMTA, 27/03/20 (the OWRMP)</p> <p>Operational Emergency Response Plan, SIMTA, 26/03/20 (the OERP)</p> <p>Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/21 (the BEEMP)</p> <p>Letter DPIE to Qube, 09/09/19 (approval of OEMP [C3], SIOMP [C3/B49], OAQMP [C3/B59], HIP [C3/B101], ONVMP [C3/b83], OFFMP [C3/B110], OWRMP [C3/B120], OSDI [B82])</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p> <p>Letter DPIE to Qube, 10/08/20 (approval of revised BEEMP)</p> <p>Letter DPIE to Qube, 10/05/21 (acknowledgment of updated OEMP and OCCS)</p>	<p>Each of the OEMP and sub-plans (OTAMP, WTP, SIOMP, FERP, OAQMP, ONVMP, HIP, OFFMP, OWRMP, BEEMP) identify how they have addressed requirements a-h of this condition.</p> <p>The OEMP and subplans were initially approved by the Department on 09/09/19 subject to further updates.</p> <p>On 08/04/20 the Department confirmed that it is satisfied with the OEMP (inc Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Warehouse Operational Environmental Management Plans (various) (WOEMP)		
Revision of strategies, plans and programs				
C8	At least one month prior to the commencement of a new phase of the development, the CEMP or OEMP and applicable subplans must be reviewed and submitted to the Secretary for approval.	As above.	The evidence indicates that the OEMP and each of the sub-plans have undergone reviews and updates consistent with the approved POPD and that these have been submitted to the Department.	C
C9	<p>Within three months of:</p> <ul style="list-style-type: none"> a. the submission of an annual review under condition C10; b. the submission of an incident or non-compliance notification under condition C13; c. the submission of an audit under condition C18; d. the approval of any modification of the conditions of this consent; or e. the issue of a direction of the Secretary under condition A2; <p>the strategies, plans and programs required under this consent must be reviewed, and if necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, must be revised, to the satisfaction of the Secretary. Where revisions are required, the revised document must be submitted to the Secretary for approval within six weeks of the review.</p> <p><i>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve the environmental performance of the development.</i></p>	<p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #02 January – December 2019, SIMTA, 29/07/20</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #03 January – December 2020, SIMTA, 16/04/21</p> <p>Interview with auditees 10/05/21</p> <p>This audit</p> <p>Modification 2, approved 31/03/20</p> <p>Modification 3, approved 18/12/20</p> <p>Modification 4, approved 19/01/21</p>	<p>Operations commenced 17/05/20.</p> <ul style="list-style-type: none"> a. Annual Reviews were submitted 29/07/20 and 16/04/21 b. No reportable incidents have been identified by the project. c. This represents the first audit for the operational period. d. Mods approved 31/03/20, 18/12/20, 19/01/21 e. Understood to be no directions from the Secretary other than conditional letters of approval for the OEMP and sub-plans updates in accordance with the POPD. <p>The OEMP and sub-plans and the OCCS were initially approved in September and December 2019, and underwent reviews and updates consistent with the POPD in early 2020.</p> <p>Observation: There is no evidence of a review of the strategies, plans and programs having been formally initiated within 3 months of the last 2 x Annual Reviews or the approval of Mods 3 and 4. However the Auditor considers that the strategies, plans and programs are undergoing regular review (and updates) pursuant to the POPD and capture measures to manage the environmental performance of the Project, and that the Department has been informed of these updates through the submission of the documents for approval.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Annual review				
C10	<p>Each year, the Applicant must submit a review the environmental performance of the development (including all tenants and occupants) to the to the Department. The review must:</p> <ol style="list-style-type: none"> describe the development that was carried out in the previous calendar year, and the development that is proposed to be carried out over the next year; include a comprehensive review of the monitoring results and complaints records from the previous year, including a comparison of these against the: <ol style="list-style-type: none"> the relevant statutory requirements, limits or performance measures/criteria; requirements of any plan or program required under this consent; the monitoring results of previous years; and the relevant predictions in the EIS, Submissions Report, Consolidated assessment clarification responses; Modification Assessment, or conditions of this consent; identify any non-compliance over the previous year, and describe what actions were (or are being) taken to ensure compliance; identify any trends in the monitoring data over the life of the development; identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and describe what measures will be implemented over the next year to improve the environmental performance of the development. <p>The Applicant must ensure that copies of the Annual Review are submitted to Council and are available to the CCC and any interested person upon request.</p>	<p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #02 January – December 2019, SIMTA, 29/07/20</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #03 January – December 2020, SIMTA, 16/04/21</p> <p>DPIE post approval lodgement portal record, 29/07/20 (submission of 2019 Annual Review to DPIE).</p> <p>DPIE post approval portal lodgement 16/04/21(submission of 2020 Annual Review to DPIE).</p> <p>Email Aspect to LCC, 27/08/20 (submission of 2019 Annual Review to Council).</p> <p>Email, Tactical to LCC 10/05/21 (submission of 2020 Annual Review to Council)</p>	<p>The Annual Reviews were prepared to address requirements a-f of this condition and were submitted to the relevant stakeholders.</p>	C
REPORTING				
Incident notification, reporting and response				
C11	<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 if it has one) and set out the location and nature of the incident.</p>	<p>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, 27/03/20 (and 19/02/21), SIMTA (the OEMP)</p> <p>Warehouse Operational Environmental Management Plans (various) (WOEMP)</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #03 January – December 2020, SIMTA, 16/04/21</p> <p>Interview with auditees 10/05/21</p>	<p>Incident management protocols are included in the OEMP and WOEMPs.</p> <p>No incidents have been identified by the Project during the audit period.</p>	NT
C12	<p>A written incident notification addressing all requirements for such notification set out in Appendix C of this consent, must also be emailed to the Department at the following address: compliance@planning.nsw.gov.au within 7 days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the</p>	As above	Incident management protocols are included in the OEMP and WOEMPs.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	notification required under condition or, having given such notification, subsequently forms the view that an incident has not occurred.		No incidents have been identified by the Project during the audit period.	
C13	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Secretary the Applicant must provide the Secretary and any relevant public authorities (as determined by the Secretary) with a detailed report on the incident addressing all requirements for such reporting set out in Appendix C of this consent, and such further reports as may be requested.	As above	Incident management protocols are included in the OEMP and WOEMPs. No incidents have been identified by the Project during the audit period.	NT
C14	Any written requirements of the Secretary or relevant public authority (as determined by the Secretary) which may be given at any point in time, to address the cause or impact of an incident must be complied with and within any timeframe specified by the Secretary or relevant public authority.	As above	Incident management protocols are included in the OEMP and WOEMPs. No incidents have been identified by the Project during the audit period.	NT
C15	If statutory notification is provided to EPA as required under the POEO Act in relation to the development, such notification must also be provided to the Secretary within 24 hours after the notification was provided to EPA.	As above	Incident management protocols are included in the OEMP and WOEMPs. No incidents have been identified by the Project during the audit period.	NT
Non-compliance notification and reporting				
C16	The Department must be notified in writing to compliance@planning.nsw.gov.au within 7 days after the Applicant becomes aware of any non-compliance.	Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, 27/03/20 (and 19/02/21), SIMTA (the OEMP) Warehouse Operational Environmental Management Plans (various) (WOEMP) Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #03 January – December 2020, SIMTA, 16/04/21 Interview with auditees 10/05/21	The Project has not identified any non-compliances during the audit period.	NT
C17	The 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, the reasons for the non-compliance (if known), and what actions have been, or will be, undertaken to address the non-compliance.	As above	The Project has not identified any non-compliances during the audit period.	NT
AUDITING				
Independent environmental audit				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C18	<p>Within one year of the commencement of any development under this consent, and every three years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:</p> <ol style="list-style-type: none"> be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; be carried out in consultation with the relevant agencies and the CCC; assess the environmental performance of the development (and tenancies) and assess whether it is complying with the relevant requirements in this consent, and any strategy, plan or program required under this consent; review the adequacy of any approved strategy, plan or program required under this consent; and recommend appropriate measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under this consent. 	<p>Morebank Precinct East Operations Independent Audit Program, WolfPeak, 24/02/20</p> <p>Mail, Tactical to WolfPeak, 22/04/21 (commissioning of audit)</p> <p>Letter DPIE to Tactical, 30/03/20 (approval of audit team)</p> <p>Interview with auditees 10/05/21</p> <p>Consultation records (attached to this audit report)</p>	<p>Audit Program was prepared in 2020 which set out the approach to the Independent Audit for the operational phase of SSD 6766 and SSD 7628.</p> <p>WolfPeak was approved by the Department as the Independent Auditors on 30/03/20.</p> <p>It is understood that operations commenced on 17/05/20. This audit was commissioned on 22/04/21.</p> <p>Consultation was completed with the Department, the EPA, Liverpool Council, and the CCC on 26 – 29/04/21.</p>	C
C19	<p>Within three months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Secretary.</p>	-	Submission of this Audit Report occurs following completion of the audit.	NT
Access to information				
C20	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, including demolition and remediation, the Applicant must:</p> <ol style="list-style-type: none"> make copies of the following publicly available on its website: <ol style="list-style-type: none"> the documents referred to in condition A2 of this consent; all current statutory approvals for the development; all approved strategies, plans and programs required under the conditions of this consent; regular reporting on the environmental performance of the development in accordance with the reporting arrangements 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 make a complaint; a complaints register updated on a monthly basis; the Annual Reviews of the development; audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report; any other matter required by the Secretary; and keep such information up to date, to the satisfaction of the Secretary. 	<p>Operation Community Communication Strategy, SIMTA, 27/03/20 (the OCCS)</p> <p>https://simta.com.au/project-wide/</p> <p>https://simta.com.au/mpe-2/</p>	<p>The project website contains:</p> <ul style="list-style-type: none"> the EIS and associated material. the consents and modifications each of the approved strategies, plans and programs regular reporting on the environmental performance of the development (monitoring reports, compliance reports and audit reports). a summary of the current stage (phased operations) contact details to enquire about the development or make a complaint; a complaints register updated on a monthly basis; 	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			<ul style="list-style-type: none"> the Annual Reviews (compliance reports) audit reports <p>The website is current.</p>	
Compliance monitoring and tracking				
C21	<p>The Proponent must prepare and implement a Compliance Tracking Program to track compliance with the requirements of this approval. The Compliance Tracking Program must be submitted to the Secretary for approval prior to the commencement of construction.</p> <p>The Compliance Tracking Program must include, but not be limited to:</p> <ol style="list-style-type: none"> provision for the notification of the Secretary prior to the commencement of construction and prior to the commencement of operation of the development (including prior to each stage, where works are being staged); provision for periodic review of the compliance status of the development against the requirements of this approval and the environmental management measures committed to in the documents referred to in condition A2; provision for periodic reporting of compliance status to the Secretary, including but not limited to: <ol style="list-style-type: none"> a Pre-Construction Compliance Report prior to the commencement of construction, quarterly Construction Compliance Reports, for the duration of construction, and a Pre-Operation Compliance Report prior to the commencement of operation, and six-monthly operational compliance reports; a program for independent environmental auditing; mechanisms for recording environmental incidents during construction and actions taken in response to those incidents; provision for reporting environmental incidents to the Secretary during construction; and procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management; and (h) provision for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities. 	<p>Compliance Tracking Program Moorebank Precinct East Stage 2, 24/05/18</p> <p>Moorebank Logistics Park – East Precinct Pre-Operations Compliance Report 28/07/2020 (Area 1)</p> <p>Moorebank Logistics Park – East Precinct – Area 2 Pre-Operations Compliance Report, 23/03/21.</p>	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit. The Compliance Tracking Program was prepared and approved by the Department prior to operations.</p> <p>That being said the Pre-Operation Compliance reports, which do relate to commencement of operations, have been prepared in accordance with the Compliance Tracking Program, the Compliance Reporting Post Approval Requirements (NSW DP&E, June 2018) and the phased approach to the POPD.</p>	C
Environment representative				
C22	<p>A suitably qualified and experienced ER who is independent of the development must be nominated by the Applicant, approved by the Secretary and engaged for the duration of construction of the development in accordance with the <i>Environmental Representative Protocol</i> (DPE 2017). Additional ERs may be engaged for the purpose of this condition in which case the obligations to be carried out by an ER under the terms of this consent may be satisfied by any ER that is approved by the Secretary. The details of nominated ER(s) must be submitted to the Secretary for approval no later than one month prior to the commencement of works, or within another timeframe agreed with the Secretary.</p> <p>This condition does not preclude the same ER for MPW projects being considered by the Secretary</p>	-	The ER has been engaged and continues in its role for construction. However, this audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT
C23	Construction must not commence until an ER nominated under C24 has been approved by the Secretary.	-	The ER has been engaged and continues in its role for construction. However, this audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C24	<p>From commencement of any works until completion of construction, the approved ER must:</p> <ul style="list-style-type: none"> a. on behalf of the Applicant, receive and respond to communication from the Secretary in relation to the environmental performance of the development; b. consider and inform the Secretary on matters specified in the terms of this consent; c. consider and recommend any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community; d. review the following documents required to be prepared under the terms of this consent, ensure they are consistent with requirements in or under this consent and if so, endorse them prior to submission to the Secretary (if required to be submitted to the Secretary) or prior to implementation (if not required to be submitted to the Secretary): <ul style="list-style-type: none"> i. CEMP; ii. OEMP; and iii. the other plans and sub-plans required by these conditions, and referenced in conditions C1 and C3; e. regularly monitor the implementation of all documents required to be prepared under the terms of this consent to ensure implementation is being carried out in accordance with what is stated in the document and the terms of this consent; f. as may be requested by the Secretary, help plan, attend or undertake Department audits of the development including scoping audits, programming audits, briefings, and site visits, but not independent audits required under condition C18 of this consent; g. if conflict arises between the Applicant and the community in relation to the environmental performance of the development, attempt to resolve the conflict, and if it cannot be resolved, notify the Secretary; h. consider any minor amendments to be made to the CEMP, CEMP sub-plans and monitoring programs that comprise updating or are of an administrative nature and are consistent with the terms of this consent and the CEMP, CEMP sub-plans and monitoring programs approved by the Secretary and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the terms of this consent; and i. prepare and submit to the Secretary and other relevant regulatory agencies, for information, a monthly Environmental Representative Report detailing the ER's actions and decisions on matters for which the ER was responsible in the preceding month (or other timeframe agreed with the Secretary). The Environmental Representative Report must be submitted within seven (7) days following the end of each month for the duration of construction of the development, or as otherwise agreed with the Secretary. 	-	<p>The ER has been engaged and continues in its role for construction. However, this audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	NT

APPENDIX C – EPBC 2011/6229 CONDITIONS OF APPROVAL

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Protection of EPBC flora and fauna and the environment on Commonwealth land				
1	<p>For the better protection of the GHFF, the person taking the action must:</p> <p>a) not clear more than 11 hectares of GHFF foraging habitat,</p> <p>For the better protection of the GHFF, the person taking the action must:</p> <p>b) engage a suitably qualified expert to undertake a pre-clearance survey(s) to confirm the absence of GHFF roosting camps within the rail easement, no more than 48 hours prior to the clearance of potential GHFF roosting habitat</p> <p>For the better protection of the GHFF, the person taking the action must:</p> <p>c) notify the Department in writing of the results of pre-clearance surveys</p> <p>If the GHFF is detected roosting on site, all native vegetation clearance activities must halt until the person taking the action has complied with any directions the Minister may wish to issue regarding timing of construction or methods for dispersal of the GHF</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	NT
2	<p>For the better protection of the Macquarie Perch, the person taking the action must:</p> <p>a) engage a suitably qualified expert to design (or provide input on the design of) all crossings which are proposed to be implemented across Macquarie Perch habitat. Any such crossings must be of a suitable design that provides for the passage requirements of Macquarie Perch</p> <p>For the better protection of the Macquarie Perch, the person taking the action must:</p> <p>b) implement all feasible and practicable measures that ensure sedimentation and / or erosion (as a result of the proposed action) do not lead to any further reductions in the water quality, or degradation of, Macquarie Perch habitat</p>		This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	NT
3	For the better protection of Hibbertia so. Bankstown, the person taking the action must engage a suitably qualified expert to undertake a targeted search for individuals of Hibbertia so. Bankstown within all areas of potential habitat during the species' flowering period		This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	NT
4	<p>For the better protection of Bynoe's Wattle , the person taking the action must engage a suitably qualified expert to undertake a field habitat assessment that targets the ecological requirements of Bynoe's Wattle, in all areas of Castlereagh Scribbly Gum Woodland likely to be cleared as a result of the proposed action.</p> <p>If the assessment determines there is potential for the species to occur on site, then a suitably qualified expert must undertake a targeted search for individuals of Bynoe's Wattle within all areas of potential habitat identified by the habitat assessment during the species' flowering period.</p>		This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	NT
Flora and Fauna Management Plan				
5	<p>For the better protection of EPBC listed flora & the environment on Commonwealth land, the person taking the action must engage a suitably qualified expert to prepare a Flora and Fauna Management Plan (FFMP) for the approval of the Minister.</p> <p>The FFMP must include (but need not be limited to):</p> <p>b) detailed maps of the rail link easement and construction zone showing:</p> <ul style="list-style-type: none"> i. permanent infrastructure and temporary works; ii. no-go areas; and iii. physical barriers used for the protection of native vegetation on Commonwealth land, and of EPBC Act listed Nodding Geebung and Small-flower Grevillea <p>The FFMP must include (but need not be limited to):</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>c) measures to minimise the extent of native vegetation clearing upon Commonwealth land and the clearing of Nodding Geebung and Small-flower Grevillea</p> <p>The FFMP must include (but need not be limited to):</p> <p>d) provisions to ensure no more than 17 individuals of Nodding Geebung and 634 stems of Small-flower Grevillea are cleared</p> <p>The FFMP must include (but need not be limited to):</p> <p>e) the results of targeted surveys for Hibbertia sp. Bankstown and Bynoe's Wattle (including the number of individuals recorded) and what measures will be implemented to avoid, mitigate and manage impacts to these species, if individuals are found on site</p> <p>The FFMP must include (but need not be limited to):</p> <p>f) measures which allow terrestrial fauna to disperse naturally ahead of clearing activities, and minimise the risk of injury to individuals</p> <p>The FFMP must include (but need not be limited to):</p> <p>g) actions to maintain or enhance the long-term viability of native vegetation adjoining the rail easement in particular, adjoining populations of Nodding Geebung and Smallflower Grevillea,</p> <p>The FFMP must include (but need not be limited to):</p> <p>h) measures to safeguard flora and fauna from the threat of weeds, fire, pathogens and 140nauthorized access, including (but not limited to) the commitments outlined in section 7.4.1 of the EIS (and summarised at Annexure A)</p> <p>The FFMP must include (but need not be limited to):</p> <p>i) ongoing monitoring to inform the adaptive management of native vegetation adjoining the rail easement</p> <p>Native vegetation clearance must not occur until the FFMP has been approved. The FFMP must be implemented once approved</p>			
Threatened Flora Offset Management Plan				
6	<p>For the better protection of Nodding Geebung , Small-flower Grevillea (and potentially, Hibbertia so. Bankstown and Bynoe's Wattle pending the outcome of conditions 3) and 4) the person taking the action must engage a suitably qualified expert to prepare a Threatened Flora Offset Management Plan (TFOMP) (or plans) for the approval of the Minister.</p> <p>The TFOMP must include (but need not be limited to):</p> <p>a) details of a direct offset that satisfies the requirements of the Department's offset policy, in accordance with the offset user guide (including timeframes for the delivery or acquisition of the direct offset)</p> <p>The TFOMP must include (but need not be limited to):</p> <p>b) map(s) and shapefiles that identify the location and boundaries of the direct offset</p> <p>The TFOMP must include (but need not be limited to):</p> <p>c) details of the management actions and performance objectives which will maintain and enhance the Nodding Geebung and Small-flower Grevillea habitat and/or population covered by the TFOMP (including the duration, intensity, and timing of management actions)</p> <p>The TFOMP must include (but need not be limited to):</p> <p>d) an assessment of the baseline population and distribution for Nodding Geebung and Small-flower Grevillea within the direct offset, including:</p> <p>i. the number of plants protected and their location; and plant and habitat condition</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>The TFOMP must include (but need not be limited to):</p> <p>e) measures for regular monitoring of the status of individuals of Nodding Geebung and Small-flower Grevillea and their habitat as measured against the baseline population and distribution, including:</p> <p>i. fluctuations in population size and distribution; and response to disturbances and/or management actions</p> <p>The TFOMP must include (but need not be limited to):</p> <p>f) provisions to revise the approved TFOMP in response to monitoring associated with condition 6l</p> <p>Native vegetation clearance must not occur until the TFOMP has been approved. The TFOMP must be implemented once approved.</p> <p>Should the action result in, or be likely to result in, residual impacts to Hibbertia sp. Bankstown or Bynoe's Wattle (as determined by the Minister), the TFOMP must also demonstrate how it meets the standards described in (a) to (f), for these two species.</p>			
Construction Environment Management Plan				
7	<p>For the better protection of Commonwealth land, the person taking the action must engage a suitably qualified expert(s) to prepare a Construction Environment Management Plan (CEMP), for the approval of the Minister.</p> <p>The CEMP must include in relation to construction of the proposed facility:</p> <p>a) details on the timing of construction works (accompanied by current and detailed maps)</p> <p>The CEMP must include in relation to construction of the proposed facility:</p> <p>b) identification and quantification of all potential impacts associated with noise, vibration, air quality, traffic, light spill, hydrological changes, contamination, and indigenous heritage (including cumulative impacts associated with the DoFs proposed intermodal) upon Commonwealth land. Consideration must be given to people and communities at SME, DNSDC, Defence housing, and the environment more generally in neighbouring bushland areas. Of note, the air quality assessment must quantify all emissions arising from air pollutant sources for which there are established national air quality standards</p> <p>The CEMP must include in relation to construction of the proposed facility:</p> <p>c) the results of further investigations with regard to land contamination and indigenous heritage impacts (specifically, PADs two and three). If adverse impacts are identified details on how such matters will be managed / mitigated must also be provided. Evidence of ongoing consultation with RAPs regarding further investigations for indigenous heritage objects/places must be provided.</p> <p>The CEMP must include in relation to construction of the proposed facility:</p> <p>d) refined details (including implementation timeframes) for the mitigation measures outlined in the EIS (sections 7.4.2, 7.4.3, 7.4.6, 7.4.7, 7.4.8 and 7.4.9) and summarised at Annexure A [of the Approval]</p> <p>The CEMP must include in relation to construction of the proposed facility:</p> <p>e) a commitment to ensure no lights are installed above the height of 40 metres or, the maximum approved height of the intermodal warehouse buildings (whichever is less)</p> <p>The CEMP must include in relation to construction of the proposed facility:</p> <p>f) identification of the trigger values and criteria for all matters mentioned in condition 7(b) (excluding light spill, land contamination and indigenous heritage) that will be adopted for monitoring and managing potential impacts to Commonwealth land</p> <p>The CEMP must include in relation to construction of the proposed facility:</p> <p>g) details of a comprehensive monitoring program (including locations, frequency and duration) for:</p> <p>i. validating the anticipated impacts associated with condition 7(b); and</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>determining the effectiveness of proposed mitigation/management measures</p> <p>The CEMP must include in relation to construction of the proposed facility: h) provisions to revise the approved CEMP in response to monitoring associated with condition 7(g) including, details of response / contingency mechanisms to address any exceedances of the relevant trigger values</p> <p>The CEMP must include in relation to construction of the proposed facility: i) evidence of consultation with Defence regarding the adequacy of proposed mitigation measures in particular, those measures to mitigate potential light spill impacts upon residential dwellings within SME outside of standard construction hours, and</p> <p>The CEMP must include in relation to construction of the proposed facility: j) details of a complaints handling procedure</p> <p>Commencement of the action may not occur until the CEMP has been approved. The CEMP must be implemented once approved</p>			
Operation Environment Management Plan				
8	<p>For the better protection of Commonwealth land, the person taking the action must engage a suitably qualified expert(s) to prepare an Operation Environment Management Plan (OEMP) for the approval of the Minister.</p> <p>The OEMP must include in relation to operation of the proposed facility: a) identification and quantification of all potential impacts associated with noise, vibration, air quality, traffic and light spill (including cumulative impacts associated with the DoFs proposed intermodal) upon Commonwealth land. Consideration must be given to people and communities at SME, DNSDC , Defence housing, and the environment more generally in neighbouring bushland areas. Of note, the air quality assessment must quantify all emissions arising from air pollutant sources for which there are established national air quality standards</p> <p>The OEMP must include in relation to operation of the proposed facility: b) refined details (including implementation timeframes) for the mitigation measures outlined in the EIS (sections 7.4.2, 7.4.6, 7.4.7, 7.4.8 and 7.4.9) and summarised at Annexure A</p> <p>The OEMP must include in relation to operation of the proposed facility: c) refined details of how heavy vehicles entering and exiting the site will be processed including information on access and circulation both into, and within, the intermodal facility grounds</p> <p>The OEMP must include in relation to operation of the proposed facility: d) measures to ensure no heavy vehicles entering or exiting the intermodal facility park, or wait, on Moorebank Avenue</p> <p>The OEMP must include in relation to operation of the proposed facility: e) identification of the trigger values and criteria for all matters mentioned in condition 8(b) (excluding light spill) that will be adopted for monitoring and managing potential impacts to those Commonwealth land</p> <p>The OEMP must include in relation to operation of the proposed facility: (f) details of a comprehensive monitoring program (including locations, frequency and duration) for: i. validating the anticipated impacts associated with condition 8(b); and ii. determining the effectiveness of mitigation/management measures (including the success of public transport incentives)</p> <p>The OEMP must include in relation to operation of the proposed facility:</p>	<p>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, 27/03/20, SIMTA (the OEMP)</p> <p>Stormwater Infrastructure Operation and Maintenance Plan Moorebank Logistics Park – East Precinct, 26/03/20, SIMTA (the SIOMP)</p> <p>Operational Air Quality Management Plan, SIMTA, 27/03/20 (OAQMP)</p> <p>Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP)</p> <p>Heritage Interpretation Plan, 27/06/19</p> <p>Operational Flora and Fauna Management Plan, SIMTA, 27/03/20 (the OFFMP)</p> <p>Operational Waste and Resources Management Plan, SIMTA, 27/03/20 (the OWMP)</p> <p>Operation Community Communication Strategy, SIMTA, 27/03/20 (the OCCS)</p> <p>Container Noise Barrier Management Plan, SIMTA, 19/03/20 (The CNBMP)</p> <p>Letter DoEE to Tactical, 20/09/19 (DoEE approval of OEMP, OFFMP, ONVMP, CNBMP, OTAMP, OCCS, UDLP Stage 1, UDLP Stage 2).</p>	<p>The OEMP and associated sub-plans were prepared to address requirements a-l of this condition.</p> <p>On 20/09/19 the DOEE (now DAWE) approved the OEMP, OFFMP, ONVMP, CNBMP, OTAMP, OCCS, UDLP Stage 1, UDLP Stage 2.</p> <p>Operations commenced on 17/05/20, after this approval.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>g) provisions to revise the approved OEMP in response to monitoring associated with condition 8(f) including, details of response / contingency mechanisms to address any exceedances of the relevant trigger values</p> <p>The OEMP must include in relation to operation of the proposed facility:</p> <p>h) evidence of consultation with Defence regarding the adequacy of proposed mitigation measures</p> <p>The OEMP must include in relation to operation of the proposed facility:</p> <p>i) details of a complaints handling procedure</p> <p>Commencement of operations may not occur until the OEMP has been approved. The OEMP must be implemented once approved.</p>			
9	For the better protection of Commonwealth land, the person taking the action must enter into a written agreement with Defence that specifies the use and ongoing maintenance of Moorebank Avenue. Prior to commencement of the action the person taking the action must provide a copy of that agreement to the Department	-	This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	NT
Administrative conditions				
10	Within one month after the commencement of the action , the person taking the action must advise the Department in writing of the actual date of commencement.	-	This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	NT
11	<p>The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement any management plan or agreement required by this approval, and make them available upon request to the Department</p> <p>Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval.</p> <p>Summaries of audits will be posted on the Department's website. The results of audits may also be publicized through the general media.</p>	<p>Evidence referred to in the Audit tables for SSD 6766 and SSD 7628</p> <p>Interview with auditees 10/05/21</p>	<p>Records pertaining to operations were readily available to the auditor.</p> <p>It is understood that no audits have been required by DAWE for the operational period.</p>	C
12	<p>Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report (the Compliance Report) on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans or agreements as specified in the conditions.</p> <p>Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the Compliance Report is published.</p> <p>The person taking the action must continue to annually publish the Compliance Report until such time as agreed in writing by the Minister.</p>	<p>Moorebank Intermodal Terminal Facility Commonwealth Compliance Report EPBC Approval No. 2011/6229 Reporting period: 23 June 2019 to 22 June 2020, SIMTA, 22/09/20</p> <p>https://simta.com.au/wordpress/wp-content/uploads/2020/09/2019-20-MPE-Commonwealth-Compliance-Report_Rev-1_redacted.pdf</p>	<p>The Annual Compliance Report relevant to the audit period has been prepared consistent with this condition, and is available on the Project website.</p> <p>There is no evidence to demonstrate that DAWE was provided proof of the date of publication at the same time as the publication of the 2020 Compliance Report. However the auditees advise that the 2020 Compliance Report relates to construction (not operation), and so falls outside of the scope of this Independent Audit.</p>	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
13	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister.	Interview with auditees 10/05/21	It is understood that no audits have been required by DAWE for operations.	NT
	The independent auditor must be approved by the Minister prior to the commencement of the audit.			
	Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister			
14	If the person taking the action wishes to carry out any activity otherwise than in accordance with any management plan as specified in the conditions, the person taking the action must submit to the Department for the Minister's written approval a revised version of that management plan.	Letter, DAWE to Tactical 29/04/20 (DAWE approval of updated OEMP, OFFMP, ONVMP, CNBMP, OAQMP, OTAMP, OCCS).	The OEMP and sub-plans were updated pursuant to recommendations from DPIE and the POPD. The updated documents were submitted to DAWE in late March 2020. On 29/04/20 the updates were approved by DAWE. These updated plans are being implemented on site.	C
	The varied activity shall not commence until the Minister has approved the varied management plan in writing. The Minister will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time.			
	If the Minister approves the revised management plan, then that management plan must be implemented in place of the management plan originally approved			
15	If the Minister believes that it is necessary or convenient for the better protection of Listed Threatened species or the environment on Commonwealth land to do so, the Minister may request that the person taking the action make specified revisions to any management plan, as specified in the conditions and submit the revised management plan for the Minister's written approval.	Interview with auditees 10/05/21	It is understood that no request or direction has been made by DAWE for operations. -	NT
	The person taking the action must comply with any such request. The revised approved management plan must be implemented.			
	Unless the Minister has approved the revised management plan, then the person taking the action must continue to implement the management plan originally approved, as specified in the conditions			
16	If, at any time after five years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister		Approval was granted in 2016. Operations commenced in 2020.	C
17	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all management plans referred to in these conditions of approval on their website.	https://simta.com.au/mpe-2/ Email Elton to Tactical, 09/04/2020 (confirmation of publication of current OEMP and sub-plans)	The current approved management plans are available on the website. The administrator of the website confirmed publication of the current plans by way of email, prior to the final approval from DAWE.	C
	Each management plan must be published on the website within one month of being approved			
Notes	Management plans referred to in conditions 5 to 8 may be re-organised for administrative efficiency provided that all specified requirements are addressed and that each document is submitted with a clear description of the condition(s) it is intended to satisfy. For example, management plans may be further aggregated or disaggregated by construction stage, geographic area or management theme (including by 'species' in the case of condition 6). Where a plan is used to satisfy the requirements of both the State and the Commonwealth, that plan must clearly articulate where each of the Commonwealth's conditional criteria have been addressed within that plan.	Refer response to condition 8	Refer response to condition 8	C

APPENDIX D – PLANNING SECRETARY AGREEMENT OF INDEPENDENT AUDITORS



VIA Email ONLY: sryan@tacticalgroup.com.au

Attention: Steve Ryan

30 March 2020

Dear Mr Ryan

**Agreement of Independent Auditor
Moorebank Precinct East Operations (SSD 6766)**

I refer to your submission received 18 March 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 operational independent audits of Moorebank Precinct East Stage 1.

In accordance with Condition G16 of SSD 6766, the Secretary has agreed to the following audit team:

- Steve Fermio;
- Derek Low; and
- Josephine Heltborg.

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

The Independent Audit must be prepared, undertaken and finalised in accordance with the requirements of Condition G16 of SSD 6766. The Department also recommends consideration be given to the *Independent Audit Post Approval Requirements* (Department 2018) to the extent that it does not contradict Condition G16 of SSD 6766. Failure to meet these requirements will require revision and resubmission.

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

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

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

Yours sincerely,



Julia Pope

Team Leader Compliance - Metro Projects

As nominee of the Secretary



VIA Email ONLY: sryan@tacticalgroup.com.au

Attention: Steve Ryan

30 March 2020

Dear Mr Ryan

**Agreement of Independent Auditor
Moorebank Precinct East Operations (SSD 7628)**

I refer to your submission received 18 March 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 operational independent audits of Moorebank Precinct East Stage 2.

In accordance with Conditions C18 and C19 of SSD 7628, the Secretary has agreed to the following audit team:

- Steve Fermio;
- Derek Low; and
- Josephine Heltborg.

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

The Independent Audit must be prepared, undertaken and finalised in accordance with the requirements of C18 and C19 of SSD 7628. The Department also recommends consideration be given to the *Independent Audit Post Approval Requirements* (Department 2018) to the extent that it does not contradict C18 and C19 of SSD 7628. Failure to meet these requirements will require revision and resubmission.

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

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

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

Yours sincerely,



Julia Pope

Team Leader Compliance - Metro Projects

As nominee of the Secretary

APPENDIX E – CONSULTATION RECORDS

Derek Low

From: Derek Low
Sent: Monday, 26 April 2021 9:49 AM
To: compliance@planning.nsw.gov.au
Subject: Operational Independent Audit - Moorebank Precinct East (SSD6766 and SSD7628)

Hi there.

I am one of the Department of Planning Industry and Environment (the Department) approved independent auditors on the Moorebank Intermodal Precinct East Projects (SSD6766 and SSD7628).

I am currently preparing to undertake the first operational independent audit on the Projects. The audit is required to be conducted in accordance with SSD6766 condition G16 and SSD7628 condition C18.

The consents are available at the following links:

<https://www.planningportal.nsw.gov.au/major-projects/project/4526>

<https://www.planningportal.nsw.gov.au/major-projects/project/3881>

The on-site component of the audit is scheduled to occur on 10 May 2021. The audit pertains to post-approval requirements and compliance for the operational phase of the Projects.

In accordance with SSD6766 condition G16(b) and SSD7628 condition C18(b), I am consulting with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted.

As you will see the required scope (outlined in SSD6766 condition G16 and SSD7628 condition C18) 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 Department confirm if it any key issues it would like examined, relating to post-approval requirements and compliance for the operational phase of the Projects.

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

Regards

Derek Low | Principal Environmental Consultant

General Manager



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Derek Low

From: Derek Low
Sent: Monday, 26 April 2021 9:50 AM
To: info@epa.nsw.gov.au
Subject: Operational Independent Audit - Moorebank Precinct East (SSD6766 and SSD7628)

Hi there.

I am one of the Department of Planning Industry and Environment (the Department) approved independent auditors on the Moorebank Intermodal Precinct East Projects (SSD6766 and SSD7628).

I am currently preparing to undertake the first operational independent audit on the Projects. The audit is required to be conducted in accordance with SSD6766 condition G16 and SSD7628 condition C18.

The consents are available at the following links:

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<https://www.planningportal.nsw.gov.au/major-projects/project/3881>

The on-site component of the audit is scheduled to occur on 10 May 2021. The audit pertains to post-approval requirements and compliance for the operational phase of the Projects.

In accordance with SSD6766 condition G16(b) and SSD7628 condition C18(b), I am consulting with the EPA on the scope of the audit.

As you will see the required scope (outlined in SSD6766 condition G16 and SSD7628 condition C18) 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 the EPA confirm if it any key issues it would like examined, relating to post-approval requirements and compliance for the operational phase of the Projects.

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

Regards

Derek Low | Principal Environmental Consultant

General Manager



E: dlow@wolfpeak.com.au

P: 1800 979 716

M: 0402 403 716

A: Suite 2, Level 10, 82 Elizabeth St, Sydney NSW 2000

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Derek Low

From: [REDACTED]
Sent: Tuesday, 27 April 2021 10:13 AM
To: Derek Low
Cc: David Smith; Charles Wiafe
Subject: RE: Operational Independent Audit - Moorebank Precinct East (SSD6766 and SSD7628)

Hi Derek,

Thanks for your time on the phone, as discussed from our perspective it looks to us like you have covered off what is necessary as part of the audit.

Kind regards,

Luke Oste
Executive Planner



[REDACTED]
Customer Service: 1300 36 2170 | 33 Moore Street Liverpool, NSW 2170, Australia



www.liverpool.nsw.gov.au



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From: Derek Low <dlow@wolfpeak.com.au>
Sent: Monday, 26 April 2021 9:54 AM
To: LCC <LCC@liverpool.nsw.gov.au>
Subject: Operational Independent Audit - Moorebank Precinct East (SSD6766 and SSD7628)

Hi there.

I am one of the Department of Planning Industry and Environment (the Department) approved independent auditors on the Moorebank Intermodal Precinct East Projects (SSD6766 and SSD7628).

I am currently preparing to undertake the first operational independent audit on the Projects. The audit is required to be conducted in accordance with SSD6766 condition G16 and SSD7628 condition C18.

The consents are available at the following links:

<https://www.planningportal.nsw.gov.au/major-projects/project/4526>

<https://www.planningportal.nsw.gov.au/major-projects/project/3881>

The on-site component of the audit is scheduled to occur on 10 May 2021. The audit pertains to post-approval requirements and compliance for the operational phase of the Projects.

In accordance with SSD6766 condition G16(b) and SSD7628 condition C18(b), I am consulting with Council on the scope of the audit.

As you will see the required scope (outlined in SSD6766 condition G16 and SSD7628 condition C18) 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 the Council confirm if it any key issues it would like examined, relating to post-approval requirements and compliance for the operational phase of the Projects.

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

Regards

Derek Low | Principal Environmental Consultant

General Manager



E: dlow@wolfpeak.com.au

P: 1800 979 716

M: 0402 403 716

A: Suite 2, Level 10, 82 Elizabeth St, Sydney NSW 2000

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Derek Low

From: [REDACTED]
Sent: Thursday, 29 April 2021 11:06 AM
To: Derek Low
Subject: Fwd: Operational Independent Audit - Moorebank Precinct East (SSD6766 and SSD7628)

Hi Derek,

Just FYI, Colin has forwarded your email, complete with your contact details, to the entire CCC membership.

Happy for you to refer anyone to me, or to advise them to raise their matters on Monday night at the meeting.

If an Erik Rakowski contacts you, you should be aware he is the claimant in an active court case against the MPW Stage 2 approval.

Scott

Begin forwarded message:

From: [REDACTED]
Date: 29 April 2021 at 10:51:48 am AEST

[REDACTED]
Subject: Fwd: Operational Independent Audit - Moorebank Precinct East (SSD6766 and SSD7628)

Can we please discuss at meeting on Monday, thanks, Col----- Original Message -----
Subject: Operational Independent Audit - Moorebank Precinct East (SSD6766 and SSD7628)
Date: 2021-04-26 09:58
From: Derek Low <dlow@wolfpeak.com.au>
To: [REDACTED]
Cc: [REDACTED]

Hi there.

I am one of the Department of Planning Industry and Environment (the Department) approved independent auditors on the Moorebank Intermodal Precinct East Projects (SSD6766 and SSD7628).

I am currently preparing to undertake the first operational independent audit on the Projects. The audit is required to be conducted in accordance with SSD6766 condition G16 and SSD7628 condition C18.

The consents are available at the following links:

<https://www.planningportal.nsw.gov.au/major-projects/project/4526>

<https://www.planningportal.nsw.gov.au/major-projects/project/3881>

The on-site component of the audit is scheduled to occur on 10 May 2021. The audit pertains to post-approval requirements and compliance for the operational phase of the Projects.

In accordance with SSD7628 condition C18(b), I am consulting with Community and Consultation Committee (CCC) on the scope of the audit on that Project. SSD6766 does not require consultation with the CCC on the audit.

As you will see the required scope (outlined in SSD7628 condition C18) 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 the CCC confirm if it any key issues it would like examined, relating to post-approval requirements and compliance for the operational phase of SSD7628.

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

Regards

Derek Low | Principal Environmental Consultant

General Manager

E: dlow@wolfpeak.com.au

P: 1800 979 716

M: 0402 403 716

A: Suite 2, Level 10, 82 Elizabeth St, Sydney NSW 2000

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Links:

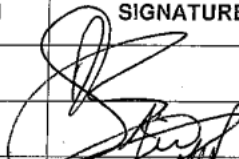
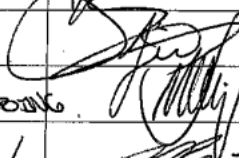
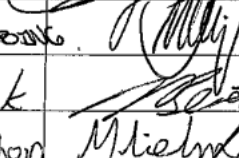
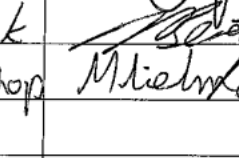
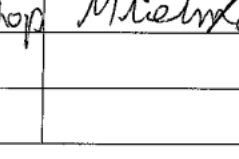
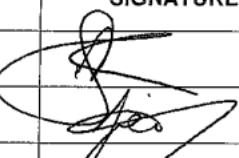
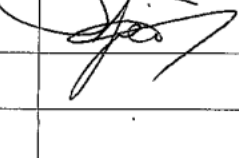
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APPENDIX F – MEETING SIGN ON SHEET

INDEPENDENT AUDIT MEETING ATTENDANCE RECORD

PROJECT (NAME AND APPROVAL NUMBER)		MPE OPS SSO 6766 SSO 7628	
DATE		10/5/21	
LOCATION		WORKSHOP	
OPENING MEETING			
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE
David Law	AV/TAC	WOLFPEAK	
Fei Chen	Project Coordinator	TAC	
MARY CAGNONA	PLUMBING SUPERVISOR	MISC PLUMBING	
Michael Beresford	Facilities Manager	Knight Frank	
Mark Liebman	Auditor	Sustainably Workshop	
CLOSING MEETING			
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE
David Law	Auditor	WOLFPEAK	
Fei Chen	Project Coordinator	TAC	

APPENDIX G – SITE INSPECTION PHOTOGRAPHS



Photo 1: Bulk diesel storage on the IMEX Terminal.



Photo 2: Inadequate bund (red barrier) at the Reach Stacker crane refuelling area. Note the Rail Link at rear and stormwater pit on left of shot.

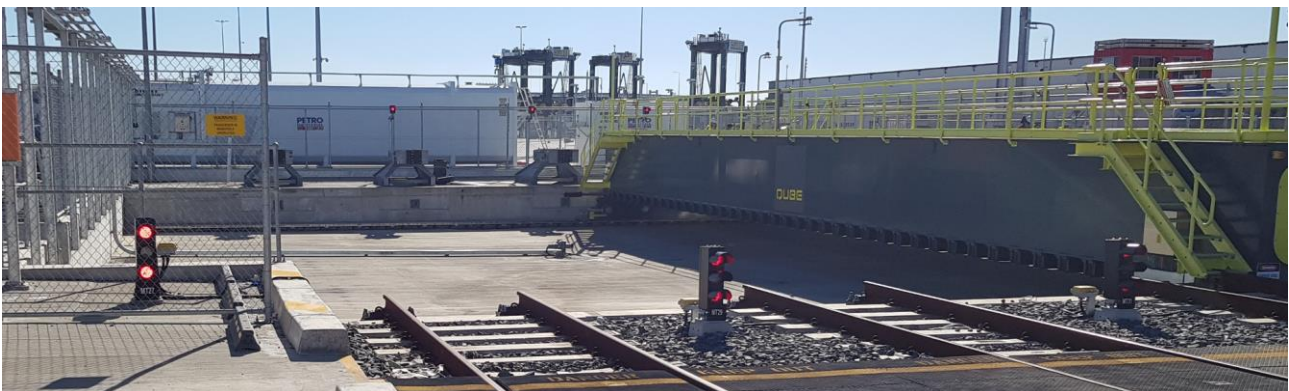


Photo 3: Crane refuelling and maintenance bay.



Photo 4: Reach Stacker crane in operation, with Container Noise Barrier in place.



Photo 5: Anzac Creek.



Photo 6: Rail Link buckling between IMEX Terminal and the Moorebank Avenue underpass.



Photo 7: Rail Link lubrication.



Photo 8: Rail Link noise monitoring station.



Photo 9: On Site Detention at Glenfield Waste Services.



Photo 10: Typical internal waste collection for warehousing.



Photo 11: Passive and LED lighting design within warehousing.



Photo 12: Firewater bulk storage for warehousing.



Photo 13: Typical external waste collection for warehousing.



Photo 14: Firewater bulk storage for IMEX Terminal.

APPENDIX H – DECLARATION FORMS

Independent Audit Report Declaration Form


Project name	Moorebank Precinct East (MPE)
Consent number	SSD 6766 and SSD 7628
Description of Project	<ul style="list-style-type: none"> The Import Export (IMEX) Terminal A Rail Link connecting the IMEX terminal and the Southern Sydney Freight Line (SSFL) traversing Moorebank Avenue, Anzac Creek and Georges River Associated ancillary infrastructure including signage, lighting, landscaping, water management Warehouse and distribution facilities including warehousing up to 21 m in height, typically ranging in size from 20,000 m² to 62,000 m². Individual warehouses typically comprise the following: A freight village including a mix of retail, commercial and light industrial spaces typically up to 15 m in height and varying in size and design An internal road network to enable efficient movement of vehicles, dispatch of freight from the warehouses and transport of containers between the IMEX Terminal and warehouse and distribution facilities.
Project address	<p>SSD 6766</p> <p>Terminal Site: Land generally described as being located on the eastern side of Moorebank Avenue, between Anzac Road and the East Hills Passenger Line, Moorebank (Lot 1 DP 1048263).</p> <p>Rail Corridor: Land generally described as being located between the intermodal site and the East Hills Passenger Line to the south, part of the East Hills Passenger Line, Commonwealth land to the southwest and the northern portion of the Glenfield Waste Disposal Facility to the west, comprising: Lot 2 DP 1197707, Lot 103 DP 1143827, Lot 4 DP 1197707, Lot 104 DP 1143827, Lot 1 DP 825352 Lot 52 DP 517310, Lot 2 DP 825348, Lot 51 DP 515696, Lot 1 DP 1061150, Lot 4 DP 1130937, Lot 6 DP 833516, Lot 101 DP 1143827, Lot 7 DP 833516, Lot 102 DP 1143827, Lot 1 DP 712701, Lot 1 DP 1130937, Lot 1 DP 1197707, Lot 4 DP 1186349, Lot 91 DP 1155962, Lot 5 DP 833516, Georges River, Crown road, Public road reserve of Moorebank Avenue to the north of Anzac Road</p> <p>SSD 7628</p> <p>Lot 1 DP1048263 Part Lots 1, 2 and 4 DP 1197707 Moorebank Avenue Lot 1 DP 825352</p>
Proponent	Sydney Intermodal Terminal Alliance (SIMTA) as Qube Holdings Limited
Title of audit	MPE Operational Independent Audit
Date	16/06/2021

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

- the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2019)*;
- 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	Derek Low
Signature	
Qualification	Master of Environmental Engineering Management Exemplar Global Auditor Number 114283
Company	WolfPeak Pty Ltd
Company address	Suite 2, Level 10, 82 Elizabeth Street Sydney NSW 2000

Independent Audit Report Declaration Form

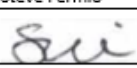
Project name	Moorebank Precinct East (MPE)
Consent number	SSD 6766 and SSD 7628
Description of Project	<ul style="list-style-type: none"> The Import Export (IMEX) Terminal A Rail Link connecting the IMEX terminal and the Southern Sydney Freight Line (SSFL) traversing Moorebank Avenue, Anzac Creek and Georges River Associated ancillary infrastructure including signage, lighting, landscaping, water management Warehouse and distribution facilities including warehousing up to 21 m in height, typically ranging in size from 20,000 m2 to 62,000 m2. Individual warehouses typically comprise the following: <ul style="list-style-type: none"> A freight village including a mix of retail, commercial and light industrial spaces typically up to 15 m in height and varying in size and design An internal road network to enable efficient movement of vehicles, dispatch of freight from the warehouses and transport of containers between the IMEX Terminal and warehouse and distribution facilities.
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Proponent	Sydney Intermodal Terminal Alliance (SIMTA) as <u>Qube Holdings Limited</u>
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I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2019)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

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