

INDEPENDENT AUDIT NO. 3 – AUDIT REPORT



MOOREBANK INTERMODAL PRECINCT WEST STAGE 2
(SSD 7709)

APRIL 2023

Authorisation

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ABBREVIATIONS / GLOSSARY

Abbreviation/Term	Description
CEMP	Construction Environment Management Plan
CoC	Condition of Consent
CPESC	Certified Professional in Erosion and Sediment Control
DPE or Department	Department of Planning and the Environment
EIS	Environmental Impact Statement
ESCP	Erosion and Sediment Control Plan
EP&A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
IA	Independent Audit
IAPAR	Independent Audit Post Approval Requirements
OOW	Out of Hours Works
the Project	The Development as described in the EIS and approved under SSD 7709
Proponent	Sydney Intermodal Terminal Alliance (SIMTA), now LOGOS Property Group Consortium
SSD	State Significant Development
RtS	Response to Submission

EXECUTIVE SUMMARY

The Moorebank Precinct West (Stage 2) project (MPW2, or the Project) is part of the broader Moorebank Precinct West (MPW) development which, in turn, is part of the broader Moorebank Intermodal Precinct (MIP). The MPL development involves the construction and operation of intermodal freight terminal facilities at Moorebank in south-west Sydney, linked by rail to Port Botany and the interstate rail network.

The MPW development site is centred on an approximately 220-hectare area of Commonwealth-owned land, which is adjacent to the Southern Sydney Freight Line, the East Hills Rail Line, the M5 Motorway and Moorebank Avenue (as depicted in Figure 1).

MPW development is a staged development subject to a number of development consents granted under the State Significant Development (SSD) provisions of Part 4 of the *Environmental Planning and Assessment Act 1979* (the Act). On 11 November 2019, the NSW Independent Planning Commission (the Commission or IPC) approved the development application for the MPW – Stage 2, SSD 7709 (MPW2). LOGOS is the responsible body for developing and operating the Project. The Project comprises:

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

This Audit Report presents the outcomes of the third independent audit (IA3) undertaken for the MPW2 (SSD 7709) located at Moorebank Avenue, Moorebank covering the period from April 2022 to March 2023 (the audit period).

This IA3 was undertaken in accordance with the State Significant Development SSD-7709 Condition of Consent (CoC) C17 and in accordance with *Independent Audit Post Approval Requirements, 2018* (IAPAR). WolfPeak was engaged as the Independent Auditor, approved by Department of Planning and Environment (the Department). The objective of this Independent Audit is to verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project.

Works conducted under SSD-7709 during the audit period comprising:

- Stockpile management
- Bulk earthworks (including WH1 – WH4)
- East West Channel construction was completed
- OSD 5, 6 and 8 construction work and outlet construction

- Service Pad installation
- Switch room construction
- Stormwater and utilities installation
- Road pavement Estate Road
- Noise Wall installation
- Warehouse 6 construction
- Permanent surfaces concrete hardstands
- Warehouse fit out
- Pavement works Loop Road
- Bapaume Ave upgrade
- MAAI Intersection works
- Rail possessions for deliveries
- Rail track fabrication

The overall outcome of the Independent Audit indicated that compliance was proactively tracked by the key project personnel. Compliance records were organised and available at the time of the site inspection and during interviews with project personnel on 10, 15 and 22 of March 2023.

Summary of Findings

Relevant environmental and compliance monitoring records were collected and reviewed as required to provide verification of compliance to statutory requirements and the broader project environmental requirements. In summary:

- There were 291 CoCs assessed.
- Nine (9) CoCs were considered by the Auditor to be non-compliant. These relate to late submission of structural design documentation to the Department for external walls and cladding, late submission of a CPESC report to the Department, works undertaken outside of standard construction hours not in accordance with the approval, failure to submit within the required timeframes a Site Audit Statement and Site Audit Report to the Department, late notification of non-compliances to the Department and implementation of CEMP (i.e. failure to consistently undertake weekly site inspections).
- Two (2) observations were identified, which relate to incomplete records in the waste register for Richard Crookes Construction Contractor, and two exceedances on the dust deposition results.
- 185 CoCs were considered by the Auditor to be compliant.
- 97 CoCs were considered by the Auditor to be not triggered.

With regards to the status of the previous findings from the second Independent Audit (IA2), all findings have been closed out.

Detailed findings are presented in Section 3 and Appendix A, along with the actions taken by the project team to address the audit findings.



The Auditor would like to thank the auditees from Aspect Environmental, J. Wyndham Prince (JWP), Georgiou, BMD, Richard Crookes Construction and Martinus (all representing SIMTA) for their cooperation and assistance during the Independent Audit.



1. INTRODUCTION

1.1 Project overview

The Moorebank Precinct West (Stage 2) project (MPW2, or the Project) is part of the Moorebank Precinct West (MPW) development which, in turn, is part of the broader Moorebank Intermodal Precinct (MIP) development. The Moorebank Intermodal Precinct (also referred to as the Moorebank Intermodal Freight Precinct or Moorebank Logistics Park) is located at Moorebank Avenue, Moorebank, and is proposed to comprise an interstate, intrastate and port shuttle freight, and logistics handling facility for the Sydney Metropolitan Area.

The MPW development site is centred on an approximately 220-hectare area of Commonwealth-owned land, which is adjacent to the Southern Sydney Freight Line, the East Hills Rail Line, the M5 Motorway and Moorebank Avenue (as depicted in Figure 1).

The MPW development is a staged development subject to a number of development consents granted under the State Significant Development (SSD) provisions of Part 4 of the *Environmental Planning and Assessment Act 1979* (the Act). On 11 November 2019, the NSW Independent Planning Commission (the Commission or IPC) approved the development application for the MPW – Stage 2, SSD 7709 (MPW2). LOGOS is the responsible body for developing and operating the Project.

The approval for the MPW2 involves the following works:

- Construction and 24/7 operation of an intermodal terminal (IMT) facility to support a container freight throughput volume of 500,000 twenty-foot equivalent units (TEUs) per annum, including:
 - a rail terminal with nine rail sidings and associated locomotive shifter
 - a rail link connection from the sidings to the rail link constructed under MPE Stage 1 (SSD 6766) to the Southern Sydney Freight Line (SSFL)
 - rail and truck container loading and unloading and container storage areas
 - truck waiting area and emergency truck storage area
 - container wash-down facilities and degassing area
 - mobile locomotive refueling station
 - engineer's workshop, administration facility and associated car parking
- Operation of the IMT facility includes operation of the rail link to the SSFL and container freight movements by truck to and from the Moorebank Precinct East (MPE) site.
- Construction and 24/7 operation of a warehousing estate on the northern part of the site servicing the IMT facility and including:
 - six warehouses with a total gross floor area (GFA) of 215,000 m² and, for each warehouse, associated offices, staff amenities, hardstands and truck and light vehicle parking

- 800 m2 freight village (operating from 7am to 6pm, 7 days/ week) including staff/ visitor amenities
- internal roads, noise wall, landscaping, lighting and signage.
- Intersection upgrades on Moorebank Avenue at:
 - Anzac Road providing site access
 - Bapaume Road for left turn only out of the site
- Construction and operation of on-site detention basins, bioretention/ biofiltration systems and trunk stormwater drainage for the entire site.
- Construction works and temporary ancillary facilities, including:
 - vegetation clearing, top soil stripping and stockpiling and site earthworks and temporary on site detention
 - importation of up to 1,600,000 m3 of uncompacted fill, temporary stockpiling and placement over the entire site to raise existing ground levels by up to 3 m
 - materials screening, crushing and washing facilities importation and placement of engineering fill and rail line ballast
 - installation and use of a concrete batching plant
 - utilities installation/ connection

The general layout of the MPW2 development is shown in Figure 2.

The Project has been modified on two occasions:

- MOD-1 was approved on 24 December 2020 and relates to adjust the southern operational boundary of the MPW2 warehouse area (footprint) and change the maximum warehouse building heights across warehouse areas 5 and 6 (JN and JR). Amendments were also made to increase operational noise criteria and to allow for the storage of dangerous goods on-site at warehouse areas 5 and 6.
- MOD-2 was approved on 30 September 2021 and relates to amendments to the extent of maintenance track requirements (condition B2(g)), enable location of power services within the roadway (condition B87), and amend Out of Hours Works Protocol requirements (condition B135(g)).

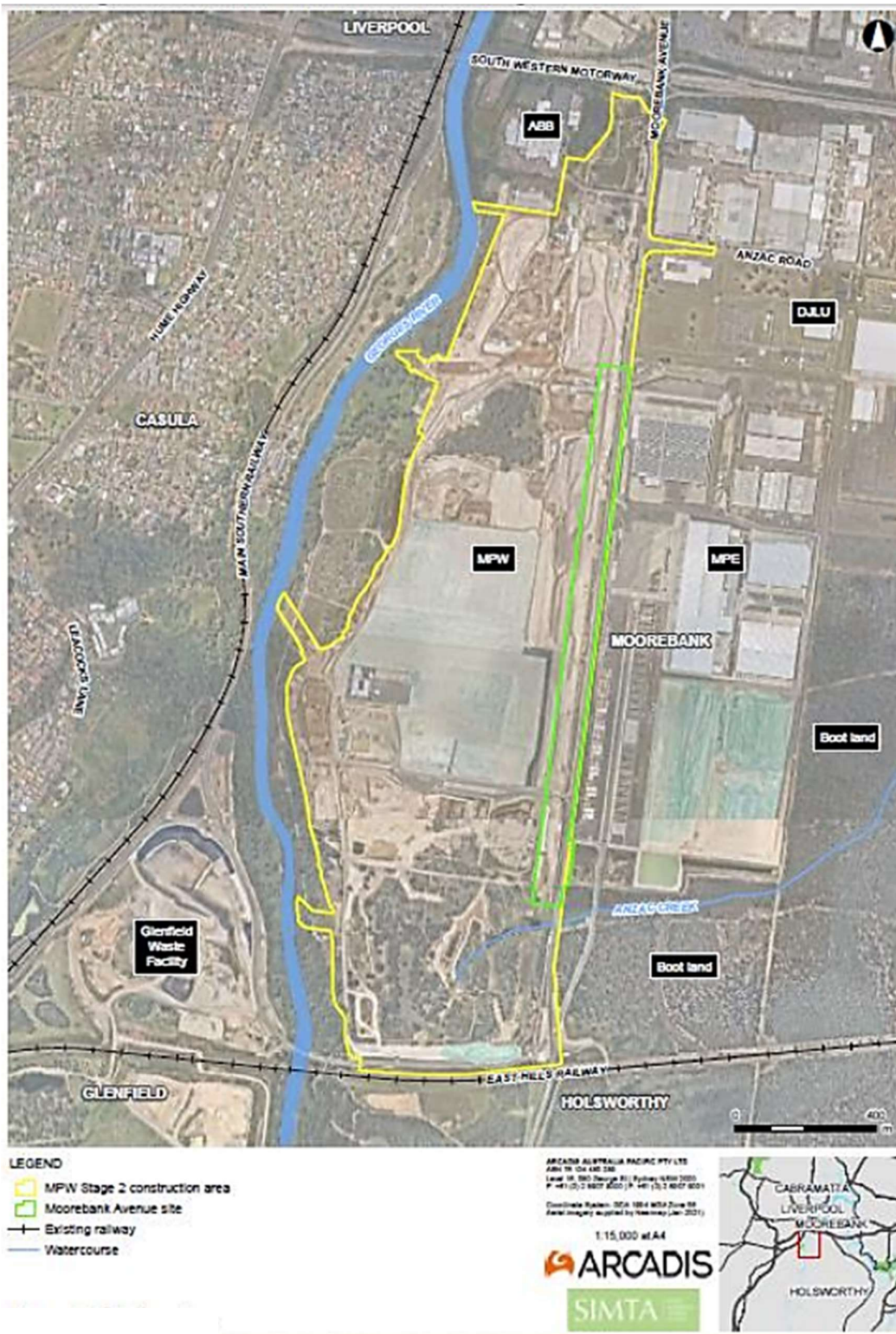


Figure 1 – The Project (The MPW Site Location (Source: MPW S2 S3 CEMP, Rev Q, SIMTA 2 December 2021)

MPW Stage 2 Construction Environmental Management Plan

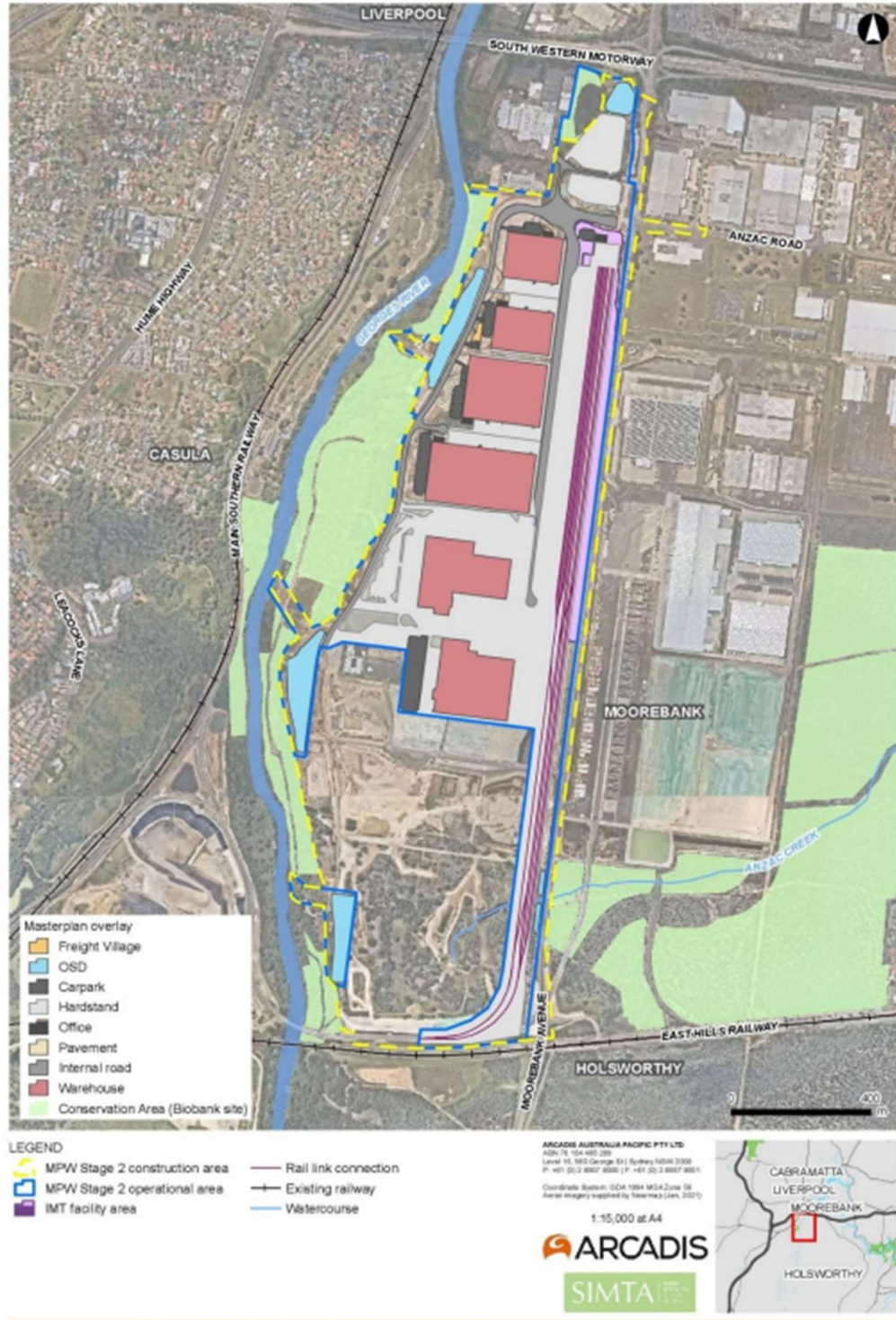


Figure 2 – MPW2 Project Overview (Source: MPW S2 S3 CEMP, Rev Q, SIMTA 2 December 2021)

LOGOS has engaged a number of parties to help deliver the Project including (but not limited to), J. Wyndham Prince (JWP), Aspect Environmental (Aspect) and Caras, each of whom manage / oversee contractors and consultants responsible for construction, transport / haulage, waste and technical support etc. For the purpose of the audit, Aspect acts as LOGOS's representative.

Main Contractors on the project are: Georgiou is the principal earthworks and civils construction contractor on the Project. BMD are the principal contractor for works adjacent to Moorebank Avenue. Richard Crookes Construction have been engaged as the principal contractor for the development of warehouses 5 and 6. Martinus is the main contractor delivering the interstate rail (including connection to the IMEX rail line) and terminal. Within this Audit Report, these parties may be collectively referred to as LOGOS, Project team or the auditees.

1.2 Project Details

Table 1 - Project Details

Item	Details
Project Name:	Moorebank Precinct West Stage 2 (MPW2)
Project Application No.:	SSD 7709
Project Address:	Moorebank Avenue, Moorebank
SSD Applicant:	Sydney Intermodal Terminal Alliance (SIMTA), now trading as LOGOS and represented by Aspect Environmental in this audit
Project Managers:	J Wyndham Prince, Tactical Group
Project Contractor(s):	Georgiou Group, BMD, Richard Crookes, and Martinus
Certifier:	McKenzie Group
Project Phase:	Construction
Project Activity Summary:	<p>Works undertaken during the last year (April 2022 to March 2023):</p> <ul style="list-style-type: none"> • Stockpile management • Bulk earthworks (including WH1 – WH4) • East West Channel construction was completed • OSD 5, 6 and 8 construction work and outlet construction • Service Pad installation • Switch room construction • Stormwater and utilities installation • Road pavement Estate Road • Noise Wall installation • Warehouse 6 construction • Permanent surfaces concrete hardstands • Warehouse fit out • Pavement works Loop Road • Bapaume Ave upgrade

Item	Details
	<ul style="list-style-type: none"> MAAI Intersection works Rail possessions for deliveries Rail track fabrication

1.3 Approval requirements

SSD 7709 Conditions of Consent (CoC) C16 – C19 of Schedule 2 set out the requirements for undertaking Independent Audits. CoC C17, in particular the states:

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

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

1.4 The audit team

In accordance with Section 3.1 of the IAPAR, Independent Auditors must be suitably qualified, experienced, and independent of the Project, and appointed by the Planning Secretary. The list of independent auditors who performed the auditing works are shown on Table 2.

Table 2 - Audit Team

Name	Company	Participation	Certification
[REDACTED]	WolfPeak	Lead Auditor	Master of Engineering Management Exemplar Global Certified Lead Environmental Auditor [REDACTED]
[REDACTED]	WolfPeak	Lead Auditor and Peer Reviewer	Master of Environmental Engineering Management Exemplar Global Certified Lead Environmental Auditor [REDACTED]

Approval of the Audit Team was provided by the Department on 30 January 2023. The letter is presented in Appendix B. Declaration of independence are presented in Appendix E.

1.5 The audit objectives

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

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

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

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

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

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

1.6 Audit scope

This Independent Audit (IA3) is the third audit for the Project covering the period from April 2022 and March 2023 (the audit period).

The scope of the Independent Audit comprises:

- an assessment of compliance with:
 - all conditions of consent applicable to the phase of the development that is being audited
 - all post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans; and
 - all environmental licences and approvals applicable to the development excluding environment protection licences issued under the Protection of the Environment Operations Act 1997 or as otherwise agreed by the Secretary.
- 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
 - 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.

2. AUDIT METHODOLOGY

2.1 Audit process

The 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.

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.

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.

2.2.3 Consultation

On 24 February 2023 WolfPeak consulted with the Department to obtain their input into the scope of the Independent Audit and confirmation on whether other stakeholders should be consulted, as per Section 3.2 of the IAPAR. The Department requested consultation to be undertaken with the EPA. The summary of focus areas is listed in Table 3 below.

Table 3 - Areas of focus requested during consultation

Stakeholder	Areas of Focus	How was addressed
Department of Planning and Environment (DPE)	The Department requested the following key issues be included in the scope of the IEA:	Refer Section 3.7 and Appendix A.
	Hours of construction and Out of Hours Work (OOHW)	Refer Section 3.7 and Appendix A conditions B125-B127.
	Erosion and Sediment controls	Refer Section 3.7 and Appendix A conditions B29-B35.
	Control of waste and rubbish	Refer Section 3.7 and Appendix A conditions B180-B183.
	Water discharge, water quality	Refer Section 3.7 and Appendix A conditions B20-B22.

Stakeholder	Areas of Focus	How was addressed
	Works requiring a Site Audit Statement/Site Audit Report	Refer Section 3.7 and Appendix A conditions B169-B171.
NSW EPA	No response.	-

The consultation records are attached in Appendix C.

2.2.4 Meetings

Opening meeting was held on 10 March 2023 at the MPW construction site with project personnel and WolfPeak auditor. Key items discussed included:

- Confirmation of the site inspection scope
- Items raised by the Department (Table 3) for inclusion in the audit
- Overview of the project and status of the works
- Conduct of a site walk led by the project team to review implementation of mitigation measures and environmental controls
- Interviews with each of the Principal Contractors on site.

Document review sessions were held on 15 and 22 March 2023 with project personnel and WolfPeak auditor to:

- Confirm the purpose and scope of the audit
- Provide overview of the project documentation (CEMP and its sub-plans) and records to verify compliance with the SSD 7709 conditions
- Conduct the audit based on the checklist with the Conditions of Approval, interviews with personnel and review of records provided as evidence of compliance, and
- Discuss any identified findings and any actions noted during site inspection and document review.

A closing meeting was held on 22 March 2023 where the 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 on 10, 15 and 22 of March 2023 with key project personnel during the site inspection and document review. During the inspection key personnel involved in on-site Project delivery, including those with responsibilities for environmental management, who could assist on verifying the compliance status of the development were interviewed.

All other communication was conducted remotely, which included detailed requests for information and auditee responses to the request. The names of personnel interviewed during the audit are provided in Table 4.

Table 4 - Audit meeting attendance and personnel interviewed

Personnel	Position	Company
██████████	Associated Director (LOGOS Representative)	Aspect Environmental
██████████	Environmental Consultant	Aspect Environmental
██████████	Project Engineer	J. Wyndham Prince
██████████	Environmental Advisor	Georgiou Group
██████████	Environmental Officer	Georgiou Group
██████████	Environmental and Sustainability Manager	Martinus Rail
██████████	Environment Manager	BMD
██████████	Senior Project Manager	BMD
██████████	Project Engineer (Stage 1)	Richard Crookes Construction
██████████	WHSE Advisor (Stage 2)	Richard Crookes Construction
██████████	Site Engineer (Stage 2)	Richard Crookes Construction
██████████	Senior HSE (Stage 1)	Richard Crookes Construction

2.2.6 Site inspection

The on-site audit activities took place on 10 March 2023 and included an inspection of the entire site and work activities to verify implementation of mitigation measures from the CEMP and sub-plans relevant to the works taking place at the time of the inspection.

Photos taken during the inspections are presented in Appendix E.

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 Appendix A.

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.

Section 3 and Appendix A present the general audit findings and Section 4 presents the summary of findings.

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. These are replicated in Table 5 below.

Table 5 - Compliance status descriptors

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

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

2.2.10 Evaluation of post approval documentation

The Auditor assessed whether post approval documents:

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

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

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

2.2.11 Completing the audit

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

3. AUDIT FINDINGS

3.1 Approvals and documents audited and evidence sighted

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

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

- *Moorebank Precinct West - Stage 2 Proposal Environmental Impact Statement – (SSD16-7709), Arcadis, October 2016 (the EIS)*
- *Moorebank Precinct West - Stage 2 Proposal Response to Submissions – SSD 16_7709, Arcadis, July 2017 (and clarifications) (the RtS)*
- *Development Consent SSD 7709, 11 November 2019 (the Consent), including Modification 1 (approved 24 December 2020) and Modification 2 (approved 30 September 2021).*
- *Construction Environmental Management Plan Moorebank Precinct West Stage 2 and Stage 3, SIMTA, Rev. Q, 2 December 2021 (the CEMP)*
- *Construction Soil and Water Management Plan SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe Consulting, Rev. 18, 30 November 2021 (the CSWMP)*
- *Construction Traffic and Access Management Plan Moorebank Precinct West Stage 2, and Moorebank Precinct West Stage 3, SIMTA, Rev. M, 14 September 2021 (the CTAMP)*
- *Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan, Renzo Tonin & Associates, Rev. 16, 17 December 2021 (the CNVMP)*
- *Construction Flora and Fauna Management Plan Moorebank Precinct West Stage 2, SIMTA, Rev. N, 2 December 2021 (the CFFMP)*
- *Contamination Management Plan Moorebank Precinct West, EP Risk, Rev. 11, 30 July 2020 (the CMP)*
- *Acid Sulfate Soil Management Plan Moorebank Precinct West Site, 400 Moorebank Avenue, Moorebank NSW, EP Risk, Version 5.0 30 January 2020 (the CASSMP).*
- *Long Term Environmental Management Plan Moorebank Precinct West, EP Risk, Version 13, 1 December 2020*

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

3.2 Previous Audit Findings

The status of the previous audit findings and Applicant responses were reviewed during this audit. Table 6 presents the status of the previous audit findings. All findings were addressed and have been closed out.

3.3 Summary of Compliance

This section, including table 7, presents a summary of the findings raised from this Independent Audit and the response to each of the findings. Detailed findings against each requirement are presented in Appendix A. In summary:

- There were 291 CoCs assessed.
- Nine (9) CoCs were considered by the Auditor to be non-compliant. These relate to late submission of structural design documentation to the Department for external walls and cladding, late submission of a CPESC report to the Department, works undertaken outside of standard construction hours not in accordance with the approval, failure to submit within the required timeframes a Site Audit Statement and Site Audit Report to the Department, late notification of non-compliances to the Department and implementation of CEMP (i.e. failure to consistently undertake weekly site inspections).
- Two (2) observations were identified, which relate to incomplete records in the waste register for Richard Crookes Construction Contractor, and two exceedances on the dust deposition results.
- 185 CoCs were considered by the Auditor to be compliant.
- 97 CoCs were considered by the Auditor to be not triggered.

Table 6 - Status of audit findings (from the second Independent Audit)

Item	Ref.	Category	Condition / Requirement	Finding	Recommended or completed action	By whom and by when	Status											
IA1_5	B84	Non-compliance	<p>Requirement: Traffic and Access</p> <p>The Applicant undertake the following road infrastructure upgrades, in accordance with the specified timing requirements as set out in Table 1.</p> <table border="1"> <thead> <tr> <th rowspan="2">Upgrade</th> <th colspan="3">Specified Timing Requirements</th> </tr> <tr> <th>Upgrade requirements</th> <th>Required timing for 100% design approval by RMS</th> <th>Required timing for completion of upgrade</th> </tr> </thead> <tbody> <tr> <td>Moorebank Avenue and Anzac Road intersection upgrades, road widening and road upgrade works, and associated civil works</td> <td>Indicative layout plans (RIUW-ARC-CV-SKC-2003-P1 and RIUW-ARC-CV-SKC-1005-P2) included in Appendix 1, subject to design development and approval by RMS, and incorporating a bicycle/ pedestrian share path</td> <td>To be obtained within 12 months of the date of this consent, or prior to the issue of the first Occupation Certificate for warehousing, whichever is the sooner.</td> <td>Prior to issue of an Occupation Certificate for warehousing in excess of 100,000 m² of gross floor area</td> </tr> </tbody> </table>	Upgrade	Specified Timing Requirements			Upgrade requirements	Required timing for 100% design approval by RMS	Required timing for completion of upgrade	Moorebank Avenue and Anzac Road intersection upgrades, road widening and road upgrade works, and associated civil works	Indicative layout plans (RIUW-ARC-CV-SKC-2003-P1 and RIUW-ARC-CV-SKC-1005-P2) included in Appendix 1 , subject to design development and approval by RMS, and incorporating a bicycle/ pedestrian share path	To be obtained within 12 months of the date of this consent, or prior to the issue of the first Occupation Certificate for warehousing, whichever is the sooner.	Prior to issue of an Occupation Certificate for warehousing in excess of 100,000 m ² of gross floor area	<p>Non-compliance: The design has been submitted to TfNSW and they have requested additional information. As such the 100% design has not been approved within 12 months of the date of consent.</p>	Obtain approval from TfNSW on the 100% design.	SIMTA As soon as practicable	<p>CLOSED</p> <p>Final submission of documents was sent via email on the 14 April 2022.</p> <p>MAAI precinct infrastructure works were approved by TfNSW 24 June 2022.</p> <p>Letter from TfNSW to LOGOS on the 1 July 2022 with approval to commence construction of MAAI upgrade works.</p>
Upgrade	Specified Timing Requirements																	
	Upgrade requirements	Required timing for 100% design approval by RMS	Required timing for completion of upgrade															
Moorebank Avenue and Anzac Road intersection upgrades, road widening and road upgrade works, and associated civil works	Indicative layout plans (RIUW-ARC-CV-SKC-2003-P1 and RIUW-ARC-CV-SKC-1005-P2) included in Appendix 1 , subject to design development and approval by RMS, and incorporating a bicycle/ pedestrian share path	To be obtained within 12 months of the date of this consent, or prior to the issue of the first Occupation Certificate for warehousing, whichever is the sooner.	Prior to issue of an Occupation Certificate for warehousing in excess of 100,000 m ² of gross floor area															
IA2_1	A3	Non-compliance	<p>Requirement: Terms of Consent</p> <p>The development may only 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 Planning Secretary; in accordance with the EIS, Response to Submissions (RtS) and Consolidated assessment clarification responses; and in accordance with the management and mitigation measures in Appendix 2. 	<p>Non-compliance: The Department provided written directions in relation to the submission of the first Independent Audit report (breach of C17b)), and the need to include the response to the findings and breach notices in the second Independent Audit. The Department considered that the first Independent Audit Report was due to be submitted within 20 weeks of January 2020 (not from December 2020 as stated by the auditees).</p> <p>The auditees self-reported a breach of B138 (failure to submit a noise assessment report to the Department) in accordance with C11 on 29/07/21. The Department elected to not take further regulatory action in relation to the matter.</p> <p>The auditees self-reported a breach of C4b) due to Georgiou having stored precast stormwater drainage structures and pipework outside of the construction boundary identified in Figure 1-3 of the Construction Environmental Management Plan (CEMP). Further, the non-compliance was not reported within the timeframe specified by C11. The Department elected to not take further regulatory action in relation to the matter.</p> <p>On 28/01/22 the Department issued a warning notice for breaches of B169 and B171 (failure to submit SASs as per the timing in the relevant conditions), as well as reference to commencing construction without necessary approvals having been in place). The Department elected to not</p>	<p>The Department elected to not take further regulatory action in relation to the matters in their correspondence to SIMTA dated 06/08/21, 28/01/22 and 01/02/22.</p> <p>Refer to all the actions taken to address the non-compliances identified in the second audit.</p>	SIMTA Within the timeframes specified for each non-compliance.	<p>CLOSED</p> <p>Actions were taken to rectify the non-compliances raised against the conditions, including the self-reported breaches and the warning letters issued by the DPE. Refer to Appendix A for more details.</p> <p>Non-compliances raised in the previous audits have been closed out.</p>											

Item	Ref.	Category	Condition / Requirement	Finding	Recommended or completed action	By whom and by when	Status
				take further regulatory action in relation to the matter.			
IA2_2	A26	Non-compliance	<p>Requirement: External Walls and Cladding</p> <p><i>The Applicant must provide a copy of the documentation given to the Certifying Authority under Condition A25 [documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA] to the Planning Secretary within seven days after the Certifying Authority accepts it.</i></p>	<p>Non-compliance: The Auditor requested evidence to demonstrate that the information was submitted to the Department as is required by this condition. The auditees stated that evidence of submission to the Department is pending.</p> <p>The Auditor notes that in response to this finding in the draft Audit Report, the auditee stated that all submissions to the Certifier was provided via the Department's e-planning portal. The Auditor is of the view that the use of this e-planning portal for submissions to the Certifier does not constitute submission to the Planning Secretary in accordance with this condition.</p>	Submit the documentation required under A25 to the Department (or retrieve evidence that this has been done).	SIMTA 30/05/22	<p>CLOSED</p> <p>CC05 - Design Certificate (BAS190054) from BELL issued 17 October 2022 was presented to demonstrate that proposed external walls achieve compliance with BCA 2019 (waterproofing).</p> <p>For warehouse No. 5 (JR) a Construction Certificate form McKenzie Group dated 25 January 2022 (No. 190836/03) was issued. The CC includes a Design Statement for Structural Works prepared by Costin Roe (21 January 2021)</p> <p>Construction Certificate was submitted to the Department through the Post approval lodgement for condition A26, on the 13 December 2022.</p> <p>A new non-compliance during this audit period (IA3) will be raised as the submission did not comply with the required timeframe (7 days).</p>
IA2_6	B85	Non-compliance	<p>Requirement: Traffic and Access</p> <p><i>The swept path of the longest vehicle entering and exiting the subject site, as well as maneuverability through the site, must be in accordance with Austroads requirements. Prior to commencement of construction of permanent built surface works, a plan must be submitted to the Planning Secretary and RMS for approval, which shows that the proposed development complies with this requirement.</i></p>	<p>Non-compliance: Permanent built surface works at warehouse 6 have commenced. A swept path analysis has been prepared and was submitted to the Department as part of the MOD-1 and MOD-2 applications (both of which were approved by the Department. However, RMS (TfNSW) provided</p>	Obtain approval from TfNSW of the swept path analysis report.	SIMTA Prior to the next audit.	<p>CLOSED</p> <p>Presented MAAI precinct infrastructure works approved by TfNSW 24 June 2022 (which includes the</p>

Item	Ref.	Category	Condition / Requirement	Finding	Recommended or completed action	By whom and by when	Status
				advice on the MOD-2 application but has not provided approval as is required by this condition.			swept path analysis) Letter from TfNSW to LOGOS 1 July 2022 with approval to commence construction of MAAL upgrade works commence 28 June 2022.
IA2_11	C4	Non-compliance	<p>Requirement: Construction Environmental Management Plan</p> <p><i>The Applicant must:</i></p> <ul style="list-style-type: none"> a) <i>not commence construction of the development until the CEMP is approved by the Planning Secretary; and</i> b) <i>carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.</i> 	<p>Non-compliance: The auditees self-reported a breach of C4b) due to Georgiou having stored precast stormwater drainage structures and pipework outside of the construction boundary identified in Figure 1-3 of the Construction Environmental Management Plan (CEMP). Further, the non-compliance was not reported within the timeframe specified by C11.</p> <p>In addition to the above:</p> <p>Section 4.2.2 of the CEMP requires weekly environmental inspections to be completed. Richard Crookes Construction did not undertake inspections on a weekly basis between 24/11/21 and 12/01/22.</p> <p>Section 8.2 of the CSWMP requires all water quality data, including dates of rainfall, dates of testing, testing results and dates of water release, must be kept in an on-site register. The Richard Crookes Construction water discharge file / register does not present the results for each discharge.</p> <p>Section 7.10 of the CASSMP requires daily inspections of stockpiles for visual signs of seepage impacted by ASS including milky waters, iron staining and sulphur odour. Inspections are not documented as occurring daily; however, the stockpiles of PASS/ASS are placed in an area fully contained so seepage risk is controlled. A small amount of localized odour was observed on site (not off site) and there does not appear to be documented odour inspections occurring. The Auditor is not aware of any odour complaints having been raised</p>	<p>The Department elected to not take further regulatory action in relation to the matter placement of materials outside the construction boundary.</p> <p>The non-conformities with the CEMP should be responded to in line with section 4.4 of the CEMP.</p>	SIMTA Within the timeframes specified in Section 4.4 of the CEMP.	CLOSED Project Managers were emailed a reminder notice via Aconex on the 17 May 2022. The notice covered the requirement that, non-conformances with the CEMP, and or CEMP subplans including corrective and preventative actions are to be managed in accordance with Section 4.4 of the CEMP. Additionally, non-compliances are to be reported in accordance with Condition of Consent C11. During this year's audit evidence was presented for weekly inspections in Hammertech and records of water quality data (water discharge register) from Richard Crookes. Refer to Appendix A.
IA2_14	C14	Non-compliance	<p>Requirement: Compliance Reporting</p> <p><i>Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).</i></p>	<p>Non-compliance: The Compliance Monitoring and Reporting Program, and the Department's Compliance Reporting Post Approval Requirements, identifies construction compliance reports to be prepared at intervals of 6 months from the date of commencement of construction. Construction Compliance Report 1 was finalised on 21/07/21. Construction Compliance Report 2</p>	Finalise Construction Compliance Report 2.	SIMTA As soon as possible.	CLOSED Compliance Report No.2 June 2021 to November 2021 was submitted to the Department

Item	Ref.	Category	Condition / Requirement	Finding	Recommended or completed action	By whom and by when	Status
				<p>was therefore due to be finalised by 21/01/22. Construction Compliance Report 2 is still being prepared.</p> <p>In response to this finding in the draft Audit Report, the auditees stated that they do not consider this to be a non-compliance on the basis that 'CCR is being prepared and there is no timeframe on submission in the Consent, the Departments Compliance Reporting Post Approval Requirements (2018) or the MPW Stage 2 Compliance Monitoring and Reporting Program. The 6-month timeframe relates to the period of reporting. CCR1 Covered December 2020 to May 2021 and CCR2 will cover June 2021 to November 2021. Submission of report has been held up due to a DPE request to include additional information not previously required to be included in the CCR.'</p> <p>The Auditor disagrees with the auditees position. The second paragraph of Section 2.1 of the Compliance Reporting Post Approval Requirements (2018) states that the timeframes and frequencies relate to submission of the Compliance Reports. Further there was no evidence provided to show that the Department had requested further information to be included in report (or provided an extension to allow this to occur).</p>			<p>Portal on the 9 May 2022.</p> <p>Submission of other Compliance Reports to the Department has been, as follows:</p> <p>Compliance Report No.3 December 2021 – May 2022 (prepared on the 6 September 2022) was submitted to the Department on the 19 September 2022.</p> <p>Compliance Report No.4 June 2022 to November 2022 (11 January 2023) was submitted to the Department on the 1 February 2023.</p>

Table 7 - Findings and recommendations from the third Independent Audit

Item	Ref.	Category	Condition / Requirement	Finding	Recommended or completed action	By whom and by when	Status								
IA3_01	A3	Non-compliance	<p>Requirement: Terms of Consent</p> <p>The development may only be carried out:</p> <ul style="list-style-type: none"> a) in compliance with the conditions of this consent; b) in accordance with all written directions of the Planning Secretary; c) in accordance with the EIS, Response to Submissions (RtS) and Consolidated assessment clarification responses; and d) in accordance with the management and mitigation measures in Appendix 2. 	<p>Non-Compliance: Based on non-compliant conditions identified during this audit, the 3 warning letters received from the Department for conditions B32, B125 and B171 and the notification for potential of non-compliance on condition B125 in February 2023, condition A3 is considered non-compliant.</p>	<p>Recommendation: Proponent to address all the non-compliances noted during this audit.</p>	LOGOS (Aspect)	OPEN								
IA3_02	A26	Non-compliance	<p>Requirement: External Walls and Cladding</p> <p>The Applicant must provide a copy of the documentation given to the Certifying Authority under Condition A25 to the Planning Secretary within seven days after the Certifying Authority accepts it.</p>	<p>Non-compliance: The Structural Design Certification (which includes the products and systems proposed for use in the construction of external walls and claddings) from Costin Roe Consulting dated 3 May 2022 was provided to the Department on the 13 December 2022, which is more than 7 days after the Certifier accept it.</p>	<p>Completed action: The Proponent submitted the Structural Design Documentation (for the products and systems proposed for use in the construction of external walls and claddings) to the Department on the 13 December 2022.</p>	LOGOS (Aspect)	CLOSED								
IA3_03	B32	Non-compliance	<p>Requirement: Construction Erosion and Sediment Control</p> <p>The CPESC must undertake monthly inspections during construction, report on implementation of the SWMP and recommend any improvements to the SWMP and site control measures. The CPESC's report must be provided to the Planning Secretary monthly for the duration of construction or another time period as agreed by the Planning Secretary.</p>	<p>Non-compliance: CPESC report for April 2022 was submitted on the 20 June 2022 (2.5 months after the inspection was carried out).</p> <p>A breach notice on condition B32 was issued from the Department on the 24 August 2022 regarding late submission of CPESC report for April 2022.</p>	<p>Completed action: It was noted that monthly CPESC Reports from December 2022 to February 2023 were submitted on time.</p>	LOGOS (Aspect)	CLOSED								
IA3_04	B125	Non-compliance	<p>Requirement: Construction Hours of Work</p> <p>The Applicant must comply with the hours detailed in Table 2.</p> <table border="1" data-bbox="596 1360 1564 1465"> <caption>Table 2: Hours of Work</caption> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Construction</td> <td>Monday – Friday</td> <td>7 am to 6 pm</td> </tr> <tr> <td>Saturday</td> <td>8 am to 1 pm</td> </tr> </tbody> </table>	Activity	Day	Time	Construction	Monday – Friday	7 am to 6 pm	Saturday	8 am to 1 pm	<p>Non-compliance: During this audit period, 2 notifications from the Department were received against condition B125, therefore this condition has been recorded as non-compliance. Details of the notifications are provided below.</p> <p>On the 9 December 2022 the Department issued a warning letter for breach on Condition B125 - Helicopter operation works outside of standard working hours on the 12 November 2022 at Richard Crookes Construction (RCC) site.</p> <p>On the 20 February 2023 Logos provided written notification to the Department of a potential non-compliance as RCC was conducting works outside of the approved construction hours and not following the OOHW protocol as per condition B172e. Response from the Department is yet to be received.</p>	<p>Recommendation: Recommended that RCC retrain its workforce and introduce a hold point to approve any Out of Hours Works (OOHW).</p>	Richard Crookes Construction (RCC)	OPEN
Activity	Day	Time													
Construction	Monday – Friday	7 am to 6 pm													
	Saturday	8 am to 1 pm													

Item	Ref.	Category	Condition / Requirement	Finding	Recommended or completed action	By whom and by when	Status
IA3_05	B127	Non-compliance	<p>Requirement: Construction Hours of Work</p> <p>Construction outside of the hours identified in Condition B125 may be undertaken in any of the following circumstances:</p> <ul style="list-style-type: none"> a) works that are inaudible at the nearest sensitive receivers; b) where a negotiated agreement has been arranged with affected receivers; c) works agreed to in writing by the Planning Secretary; d) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; e) works associated with: <ul style="list-style-type: none"> (i) the Moorebank Avenue/Anzac Road upgrade, the delivery of the rail link connection, and works required to be undertaken during rail corridor possession where they are undertaken in accordance with an Out-Of-Hours Work Protocol under Condition B135; or [Amended by SSD-7709-Mod-2] (ii) any other construction works on the site where they are undertaken Out-of-Hours must be in accordance with the approved Out-of-Hours Work Protocol (OOWP) required under condition B135. 	<p>Non-compliance: Richard Crookes Construction (RCC) contractor carried out Helicopter operation works outside of standard working hours on the 12 November 2022 at the Warehouse 6. The work activities did not follow the OOHW protocol.</p>	<p>Recommendation:</p> <p>Recommended that RCC retrain its workforce and introduce a hold point to approve any Out of Hours Works (OOHW).</p>	Richard Crookes Construction (RCC)	OPEN
IA3_06	B171	Non-compliance	<p>Requirement: Site Audit Statements</p> <p>Upon completion of importation and placement of fill and prior to construction of permanent built surface works, the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement A for the whole site, prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017, which demonstrates the site is suitable for its intended land uses under MPW Stage 2 SSD 7709.</p>	<p>Non-compliance: A non-compliance was identified on the 7 September 2022, as the Proponent did not submit the Site Audit Report (SAR) and Site Audit Statement (SAS) to the Department upon completion of importation and placement of fill and prior to construction of permanent built surface works on the Western Ring Road.</p> <p>The Department issued a warning letter for breach on Condition B171 on the 14 February 2023. The Department determined that no formal action was warranted under the circumstances.</p>	<p>Completed Action:</p> <p>Proponent submitted the SAS, SAR and associated documentation for the Western Ring Road to the Department on the 27 September 2022.</p>	LOGOS (Aspect)	CLOSED
IA3_07	C4	Non-Compliance	<p>Requirement: The Applicant must:</p> <ul style="list-style-type: none"> a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time. 	<p>Non-Compliance: Richard Crookes Construction (RCC) did not undertake inspections on a weekly basis as required by the CEMP (dated 23 December 2021) section 4.2.2 (page 76). No records of site inspections been carried out after the rain event recorded on the 23 February 2023 by RCC Contractor were sighted.</p>	<p>Recommendation:</p> <p>Richard Crookes Construction, to undertake site inspections on a weekly basis and immediately following rainfall events in excess of 10mm in any 24-hour period and record them as per the CEMP and sub-plan requirements.</p>	Richard Crookes Construction (RCC)	OPEN
IA3_08	C11	Non-compliance	<p>Requirement: Non-Compliance Notification</p> <p>The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.</p>	<p>Non-compliance: The non-compliance identified on the 7 September 2022 on condition B171 was not notified to the Department within seven days after the applicant became aware of it.</p> <p>Note: The applicant indicated that the Compliance Report No.4 (June 2022 to November 2022, dated 11/01/2023) included the non-compliance and that was how the</p>	<p>Completed action: The Proponent notified the Department after the required timeframe via submission of Compliance Report No. 4. Refer finding for B171 in relation to the Department's response to the non-compliance.</p>	LOGOS (Aspect)	CLOSED

Item	Ref.	Category	Condition / Requirement	Finding	Recommended or completed action	By whom and by when	Status
				project reported this non-compliance in that instance.			
IA3_09	C12	Non-compliance	<p>Requirement: Non-Compliance Notification</p> <p><i>A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.</i></p>	<p>Non-compliance: The non-compliance identified on the 7 September 2022 on condition B171 was not notified to the Department in accordance with condition C12.</p>	<p>Completed action: The Proponent notified the Department after the required timeframe via submission of Compliance Report No. 4. Refer finding for B171 in relation to the Department's response to the non-compliance.</p>	LOGOS (Aspect)	CLOSED
IA3_10	B46	Observation	<p>Requirement: Dust Minimisation</p> <p><i>The Applicant must ensure dust emissions generated by the development do not cause exceedances of the following criteria at private property not associated with the development:</i></p> <ul style="list-style-type: none"> a) 2 g/m2/month maximum increase in deposited dust level; and b) 4 g/m2/month maximum deposited dust level. 	<p>Observation: The sighted dust deposition results from April to December 2022 are satisfactory with the exception of:</p> <ul style="list-style-type: none"> - DDG-02 (4/10/22-01/11/22) (5.9g/m2/month) for October 2022. - DDG-07 (4/10/22 – 30/11/22) (78.1g/m2/month) for November 2022. 	<p>Completed action:</p> <p>It was indicated to the auditor that the elevated concentration was a result of the equipment being moved next to another machine and hence the reading was compromised. Subsequent results returned concentrations above the criteria.</p>	LOGOS (Aspect)	CLOSED
IA3_11	B180	Observation	<p>Requirement: Waste Management</p> <p><i>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 Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.</i></p>	<p>Observation: For Richard Crookes Construction (RCC) Stage 1, it was observed during the site interview that the current waste register and associated waste tracking reports from Orange Bins did not include the Environment Protection Licences of the waste facilities where the waste material was taken to.</p>	<p>Recommendation: Richard Crookes Construction (Stage 1), to update the waste register and associated waste tracking records from Orange Bins to include the Environment Protection Licences of the waste facilities where the waste material was taken to.</p>	Richard Crookes Construction (RCC)	OPEN

3.4 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.

The implementation of the CEMP and sub-plans were verified during the site inspection and records review as detailed in Appendix A. The CEMP and relevant sub-plans have been reviewed, endorsed and approved by the ER.

Based on the evidence presented during the audit and the condition of the site during the inspection it is the Auditor's opinion that the management plans are adequate, implemented and maintained for the works being undertaken, except for the non-compliance raised against the RCC contractor for not undertaken site inspections on a weekly basis and record them as per the CEMP section 4.2.2 requirements.

3.5 Project's EMS

Georgiou, BMD, Richard Crookes and Martinus are the principal contractors on the Project and they operate under a Management System for the Project. In carrying out the audit, it was evident that the elements of AS/NZ ISO 14001-2016 Environmental Management Systems are being implemented.

Evidence to support the above conclusion includes the documents sighted during the audit (detailed in Appendix A) and controls observed in the field. These systems feed up to the overarching management systems being developed by SIMTA (Logos).

3.6 Summary of notices from agencies

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

- On 24 August 2022 the Department issued a warning letter for breach on Condition B32 (CPESC Report for April 2022 was submitted late, on 19 July 2022, which is 2.5 months after the inspection was carried out). The Department elected to not take further regulatory action in relation to the matter.
- On 9 December 2022 the Department issued a warning letter for breach on Condition B125 (Helicopter operation outside of standard working hours on the 12 November 2022 at Richard Crookes Construction site). The Department elected to not take further regulatory action in relation to the matter.
- On 14 February 2023 the Department issued a warning letter for breach on Condition B171 (A non-compliance was identified on the 7 September 2022 for not submitting the SAR and SAS to the Department upon completion of importation and placement of fill and prior to construction of permanent built surface works on the Western Ring Road). The Department elected to not take further regulatory action in relation to the matter.
- On the 20 February 2023 Logos provided written notification (sent via email) to the Department of a potential non-compliance on condition B125 (Richard Crookes Construction conducting works outside of the approved construction hours and not following the OOHW protocol). Response from the Department is yet to be received.

3.7 Other matters considered relevant by the Auditor or DPE

3.7.1 Matters considered relevant by the Department

Hours of construction and Out of Hours Work (OOHW) under SSD 7709

The Auditor observes that most of the project work being undertaken is consistent with that described by, and permissible under, the consent. The Out of Hours Works (OOHW) undertaken during the audit period appear justifiable with the majority of the works during OOHW being low impact. In total 18 OOHW have been carried out from March 2022 to March 2023 and have been tracked in the MIP environmental tracking register from Aspect, noting that each contractor also maintains their own OOHW register. OOHW are communicated using letter box drops, posted on the project website and discussed at the Community Consultative Committee meetings.

During this audit period, the Auditor noted the following regarding OOHW:

- A breach under condition B125 on the 9 December 2022 in relation to helicopter operation works outside of standard working hours on the Richard Crookes Construction (RCC) site was issued. However, the Department elected to not take further regulatory action in relation to the matter. Refer to condition B127 for more details.
- On the 20 February 2023 self-reported potential non-compliance on condition B125 (RCC conducting works outside of the approved construction hours and not following the OOHW protocol as per condition B172e) was issued to the Department. Response from the Department is yet to be received.

Refer to section 3.3, table 7 for the non-compliances recorded during this audited period.

ERSED controls and adequacy of those controls

The erosion and sediment controls observed during the site inspection appeared to be appropriate for the works undertaken at the time. Hardstand areas, Bapaume Road, Chatham and Moorebank Avenue are kept reasonably clean. Records of weekly inspections and ongoing monitoring of site controls were sighted from all the Contractors to ensure their sites are being maintained and mitigation measures are effective. However, it was noted that the RCC site (Stage 2) required some improvements. Refer to site photos in Appendix E.

Progressive Erosion and Sediment Control Plans (ESCP) have been updated regularly by the Environment Manager and reviewed by the Certified Professional in Erosion and Sediment Controls (CPESC). CPESC inspection reports from April to December 2022 and for January and February 2023 were sighted by the auditor. Stabilisation and relevant controls are also inspected by the ER and CPESC.

Control of waste and rubbish

Material has either been classified or is pre-classified under the EPA's Waste Classification Guidelines. Waste classification reports and certificates have been received and maintained.

During the site inspection it was noted that waste bins have been maintained by the Contractors throughout the sites. Waste registers are in place and maintained up to date. Records were available to show construction-generated waste and quantities of general waste, recycle and what

was sent to landfill; However, the auditor observed that RCC (Stage 1) waste register and associated waste tracking reports did not include the Environment Protection Licences of the waste facilities where the waste materials were taken to. Refer to condition B180 for more details.

Water discharge and water quality

Some flooding events were recorded during October 2022 (heavy rainfall weather event 300mm +) and February 2023. Controls were put in place by the relevant contractors including: cleaning of the site, repair to verges, regrade and lift the bund to drain the area, pump out remaining water and revegetate the area to stabilise the bund.

Two incidents were recorded and notified to the Department and the EPA in relation to uncontrolled discharge of turbid water and potential elevated level of PFAS and turbidity in the discharges. Refer to section 3.9 for more details.

Works requiring a Site Audit Statement / Site Audit Report

Evidence was sighted of Site Audit Statements (SAS) and Site Audit Reports (SAR) prepared and submitted for Lot 6, 7 and 12; the Northern Ring Road; the Interstate Terminal Site Audit Area; the Southern Ring Road and the Anzac Road Interface Site Audit Area. However, it was noted that the Department issued a warning letter on the 14 of February 2023 for not submitting the Site Audit Report (SAR) and SAS on the Western Ring Road upon completion of importation and placement of fill and prior to construction of permanent built surface works. Refer to B169 and B171 regarding the submission of Site Audit Statements (SAS) and Site Audit Reports (SAR).

3.7.2 Matters considered relevant by the Auditor

The Auditor has no other matters considered relevant beyond the findings presented elsewhere in Section 3.0 of this Report.

3.8 Complaints

A complaints register is being maintained for the entire MIP development. Complaints in the register presented are not specific to the MPW Stage 2 Project - SSD 7709. (i.e.: a complaint would be raised about the broader development, rather than any activity associated with the Project and LOGOS would investigate accordingly).

Register is current to the 7 February 2023. This register identified six (6) complaints having been received for MPW2 construction works (under SSD 7709) during the audit period (IA3). Complaints were related to noise, 2 flooding events (water entered the premises of a site neighbour during a heavy rainfall event), helicopter lifting work outside standard construction hours, construction dust on Moorebank Avenue, and car damage while driving on Moorebank Avenue. The last complaint is currently under investigation, and the other five (5) complaints have been addressed, actions taken and closed out in the system.

Additionally, a concern was raised via the complaints system from a community member for the MPW warehousing height and potential impact on views. Resident was advised of initiatives to reduce impacts for community and the previous community consultation meeting related to the development, including height of warehousing.

The publicly available complaints register is available on the Project website:

<https://simta.com.au/project-wide/>

3.9 Incidents

The Project identified two reportable incidents under the SSD 7709 during the audit period.

The first incident was related to uncontrolled discharge of turbid water; the incident happened on the 26 of July 2022 and it was initially reported to the Department and the EPA Authority as a non-compliance with the EPL on the 28 July 2022. The Department requested to be treated as an incident in accordance with the CoCs and therefore the incident investigation report was prepared on the 23 August 2022 in accordance with the requirements of Appendix 3.

The second incident happened on the 29 of November 2022 regarding potential elevated level of PFAS and turbidity in water discharges. This was notified to the Department and EPA Authority on the 29 of November 2022 and report completed on the same day.

3.10 Actual versus predicted impacts

Predicted impacts associated with the construction of the Project are described in Moorebank Precinct West Stage 2 Proposal, Environmental Impact Statement SSD 7709, 21 October 2016 (the EIS), and the Moorebank Precinct West Stage 23 Proposal – Response to Submissions, SSD 7709, 28 July 2017 (the RtS).

The EIS and RtS included a range of studies and predictions that relied on observation, measurement and modelling of the existing environments and potential outcomes arising from the Project. 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 construction requirements specified in the conditions and REMMs, to the Auditor's knowledge there are no requirements to undertake such studies and doing so does not form part of this IA3. Any such comparison is qualitative only.

In considering whether the actual impacts were consistent with those predicted in the EIS the Auditor considered:

- the scale and complexity of works conducted under the SSD 7709 consent during the audit period
- the degree compliance with the CoCs
- the degree of implementation of the management plans
- the condition of the site during the site inspection (including whether works had extended beyond the approved boundary)
- the degree of compliance and environmental performance as identified by the Environmental Representative through review of the Monthly Reports
- the number and type of complaints received during the audit period (noting that these are recorded for the Moorebank Logistics Park as a whole), and
- the number and type of incidents recorded.

Therefore, based on the works being undertaken, the fact that they are confined to within the Project boundary, and that there have been only 2 recorded incidents, the Auditor is of the view that the impacts are generally consistent with that identified in the EIS and no significant changes or additional impacts are noted.

A summary of the predicted versus actual impacts assessment is presented in Table 8.

Table 8 - Summary of predicted versus actual impacts

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period
Traffic and access	For the construction assessment it was determined the number of truck movements would vary between 6 and 740 truck movements a day, depending on the construction works period. The level of service would be maintained at key intersections of the M5 Motorway / Moorebank Avenue and Moorebank Avenue / Anzac Road during the AM and PM peak hours.	To date traffic impacts have been less than predicted, import of fill is mostly less than half expected, and the project is constructing only two of the six warehouses.
Noise and vibration	<p>Construction noise emissions are expected to comply with the established Noise Management Levels (NML) at all sensitive receivers, with exception of Casula, where construction noise levels during bulk earthworks are predicted to exceed the NML by 1 dBA. Construction noise levels during all proposed out of hours works periods are predicted to comply with the NML at all times.</p> <p>Cumulative construction noise levels due to concurrent activities associated with MPW Early Works, MPE Stage 1 and the Proposal are predicted to comply with the NMLs at all receivers, with the exception of Casula, which exceeds the NML at the most affected residential receivers by up to 2 dBA.</p>	<p>Generally speaking, the noise monitoring data indicates that noise emissions are consistent with that predicted in the EIS.</p> <p>Only one noise complaint was received in relation to SSD 7709 during the audit period. This was for a sound from a water pump near the Georges River as it was functioning incorrectly. Acoustic blankets were installed for additional noise attenuation and the pump was running during standard construction hours only. Further noise modelling was undertaken to monitor this.</p>
Air quality	The construction phase of the Proposal would involve site clearing, bulk earthworks and placement of engineering fill, which would generate dust emissions. Exhaust emissions from operation of construction vehicles and plant would also generate particulate emissions. These impacts can be effectively controlled through the implementation of standard control measures, including the use of water carts on haul roads and during other particulate emission generating construction activities.	<p>Dust deposition gauge monitoring demonstrates that deposited dust levels are compliant with the applicable criteria, with the exception of two elevated results in October and November 2022.</p> <p>Evidence was provided that demonstrates that unsealed surfaces and stockpiles are being stabilized and plant and equipment is being appropriately serviced and maintained.</p>

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period
Biodiversity	<p>The Biodiversity Assessment Report (BAR) identified impacts to three threatened ecological communities (TECs) listed under the <i>Threatened Species Conservation Act 1995</i> (TSC Act) and/or <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) associated with the following Plant Community Types (PCTs) in the site. Two threatened flora populations were also identified to be impacted on the site.</p> <p>The clearing of vegetation will result in the loss of specific fauna habitat components, including live trees, tree hollows, foraging resources, ground layer habitats such as ground timber and well-developed leaf litter. These resources offer sheltering, foraging, nesting and roosting habitat to a variety of fauna, including threatened fauna, occurring within the locality. The Proposal will require removal of over 43 hollow-bearing trees.</p>	<p>These impacts have been recognized. Pre-clearing and clearing methodologies within the CFFMP appear to have been implemented.</p> <p>Pre-clearing survey report for MPW-MAAI was presented as well as the post-clearing report from Narla Environmental, February 2023. The report shows that 7 habitat trees were cleared, and a possum and a frog were relocated.</p> <p>It was indicated that only authorised vehicles are used in the vegetation areas to monitor and that there is a swale between the basins and vegetation.</p> <p>Offset credits have been retired.</p>
Stormwater and flooding	<p>Construction of the Proposal would require vegetation clearing and the importation and placement of large amounts of fill material to level and raise the site, which has the potential to lead to erosion and generate sediment laden runoff into the Georges River, thereby impacting water quality. The majority of the Proposal site has been assessed as having a low erosion potential, however, works within the vicinity of the Georges River and Anzac Creek would have high erosion potential and would be managed accordingly. If not appropriately managed, there is a high potential for erosion from the Proposal site. A Construction Soil and Water Management Plan (CSWMP) and Erosion and Sediment Control Plan (ESCP) would be prepared in accordance with the principles and requirements of the Blue Book.</p>	<p>A CSWMP and progressive ESCPs have been implemented. Inspections by a CPESC indicate that the controls are verified by an appropriately qualified and experienced person.</p> <p>Some storms and flooding events were recorded during October 2022 and February 2023 and additional controls were put in place, as required. It was noted that Richard Crookes Contractor, Stage 2, was lacking on undertaking the weekly inspections post rain events as required under the CSWMP.</p> <p>Two complaints were received regarding flooding in July and October 2022. Water entered the premises of a site neighbour during a heavy rainfall weather event (300mm +). Corrective actions included: cleaning of the site, repair to verges, remediation works, regrade and lift the bund to drain the area, pump out remaining water and revegetate the area to stabilise the bund.</p>

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period
Contamination	<p>The Moorebank Intermodal Terminal Contamination Summary Report (Golder, 2016b) provides a summary of the known contamination risks on the Proposal site identified in previous investigations, noting that the majority of contamination remediation would be undertaken during Early Works.</p> <p>It is noted that unexpected impacts or structures or source zones may exist within the Proposal site that may be potential sources of contamination or be indicators of contamination. These include asbestos containing materials, remnant unexploded ordinance (UXO), exploded ordinance (EO) or explosive ordnance waste (EOW) items, Anthropogenic fill deposits (buried waste deposits), Trichloroethylene (TCE), Perfluoroalkyl and polyfluoroalkyl substances (PFAS).</p>	<p>Under the SSD 7709 the Site Audit Statements (SAS) certify that the site is fit for use, subject to implementation of the Long-Term Environmental Management Plan (EP Risk, 27 November 2020), and the Contamination Management Plan (EP Risk, 08 November 2020). Both those documents address the proposed approaches for managing residual contamination including PFAS, unexpected finds and contamination present in vegetated areas.</p> <p>Evidence was sighted for the Northern Ring Road, Service Pad, and Loop Road Site Audit Report dated 26 September 2022, Report no. 600099_0301-2020-3.</p>
Aboriginal heritage	<p>The construction of the Proposal would result in direct impacts to Aboriginal sites MA6, MA7, MA10, MA14, MPW Stage 2 Terrace PAD and the Tertiary Terrace.</p>	<p>The Biosis Clearance Report confirms completion of salvage in accordance with the approved Salvage Strategy. An Aboriginal artefact burial occurred during 13 February 2023, and the report is currently being prepared by the Artefact consulting.</p>
Non-Aboriginal heritage	<p>The assessment identified one on-site item (the Moorebank Cultural Landscape) and three surrounding items (Kitchener House, Glenfield Farm and Casula Power Station) that would be impacted by the Proposal. No direct impacts during construction or operation are anticipated at the three surrounding items.</p>	<p>No impacts identified.</p>
Greenhouse gases	<p>The total greenhouse gas (GHG) emissions associated with the construction of the Proposal are expected to be 32,724 tonnes of carbon dioxide equivalents (tCO₂-e) during the 36-month construction period.</p>	<p>There is currently no requirement to monitor or remodel GHG emissions and this does not form part of this audit.</p>

3.11 Key strengths and environmental performance

The overall outcome of this IA3 indicated that compliance was proactively tracked by the LOGOS, with the following strengths demonstrated in their compliance management:

- The compliance records were well organised and available at the time of the site inspection and interview with key project personnel.
- The Construction Environmental Management Plan and Subplans have been revised within the cycle, updated and implemented during the construction works.
- Active and ongoing communication have been carried out with project stakeholders and recorded every quarter as part of the Moorebank Logistics Park Community Consultative Committee (CCC).
- Relevant environmental and compliance monitoring records were collected and reported as required to provide verification of compliance to statutory requirements and the broader project environmental requirements; and
- Environmental inspections continue to be undertaken by each of the Main Contractors on their sites and recorded in their system e.g., Beakon, Procore and Hammertech, with ability to run reports and follow up on actions for issues identified.
- All construction areas were enclosed with fencing and with suitable signage.
- Traffic control measures were in place to minimise potential traffic impacts on Moorebank Avenue and Bapaume Road.
- Erosion and sediment controls were sighted, and riparian zone was well marked.
- Stockpiles inspected during the audit were stabilised, and adequately battered.
- Inductions, pre-starts, toolbox talks, and emergency drills have been carried out by the Main Contractors, as required.

4. LIMITATIONS

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The assessment of actual impacts and those predicted in the Environmental Impact Assessment(s) was a high-level assessment qualitative assessment only. The Environmental Impact Assessment(s) 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 Project (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 requirements specified in the, to the Auditor's knowledge there are no requirements to undertake such studies and doing so does not form part of this Independent Audit.

Audits of all post approval documents prepared to satisfy the conditions, including an assessment of the implementation of Environmental Management Plans and Sub-plans, adopts a Judgement Based Sampling approach. Judgement Based Sampling is the process of selecting a sample of commitments and evidence from within the total available data set (population) to obtain and evaluate evidence about some characteristic of that population, in order to form a conclusion concerning the population.

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APPENDIX A – SSD 7709 CONDITIONS OF CONSENT



Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Conditions to be met for Stage 2				
Part A - Administrative Conditions				
Obligation to Minimise Harm to the Environment				
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	Evidence referred to elsewhere in this Table. Appendix B Site inspection 10/3/2023 Interview with auditees 15/03/2023	Based on the site inspection conducted on 10/3/2023 and review of records 15/3/2023, all reasonable and feasible mitigation measures were implemented to prevent and minimise any material harm to the environment. The following were observed on site: (a) soil and erosion sedimentation controls; (b) hoarding and fencing installed around the sites; (c) dust was managed according; and (d) traffic controls. Refer to the Appendix E for the photos taken during the inspection.	Compliant
Compliance				
A2	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Moorebank Precinct Face to Face Induction Georgiou: Project induction, current to 18/11/2022. Georgiou Online HSE system Beakon. Martinus: Site Specific Induction March 2023 BMD: Induction presentation RCC: S1 and S2 - Induction presentation	Project requirements are included in subcontractor engagement packages. All staff and contractors undergo a Project induction which sets out key requirements of the Project. Staff and contractors attend regular toolbox talks and pre-starts which identify risks and controls for work being conducted.	Compliant
Terms of Consent				
A3	The development may only be carried out: a) in compliance with the conditions of this consent; b) in accordance with all written directions of the Planning Secretary; c) in accordance with the EIS, Response to Submissions (RtS) and Consolidated assessment clarification responses; and d) in accordance with the management and mitigation measures in Appendix 2 .	Site inspection 10/3/2023 Interview with auditees 15/03/2023 Moorebank Precinct West - Stage 2 Proposal Environmental Impact Statement – (SSD16-7709), Arcadis, October 2016 Moorebank Precinct West - Stage 2 Proposal Response to Submissions – SSD 16_7709, Arcadis, July 2017 (and clarifications) The mitigation measures submitted to the Department 02/11/18 (incorporated into the approved CEMP and sub-plans) Construction Certificate, McKenzie Group, 10/05/21 (covers Site-wide earthworks, main warehouse foundations, site wide stormwater, site wide inground services, and ground slabs to high bay associated with the JN Building at Moorebank Logistics Park Western Stage 2)	The Project is being constructed in general accordance with the EIS and RtS and list of responses to clarifications. The Certifier has verified that relevant design and BCA requirements are being applied. The mitigation measures have been incorporated into the approved CEMP and sub-plans, and Design Reports. These appear to have been implemented for the current works. The previous non-compliance in relation to the submission of the first Independent Audit report (breach of C17b) has been closed. On the 29/7/2022 the DPE provided response to the IA2 (second audit) and it was generally satisfied with the report. The Project has received the following warning letters and notifications from the Department during the audited period: • On 24 August 2022 the Department issued a warning letter for breach on Condition B32 (CPESC Report for April 2022 was submitted late, on 19 July	Non-Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<p>Construction Certificate, McKenzie Group, 13/07/21 (covers JN Building Main Carpark & Warehouse Building Structure and Façade including: ▪ Main carpark & warehouse superstructure (including Steel Shell) ▪ Main warehouse wall and roof cladding, ▪ Remaining ground slab to the main warehouse.</p> <p>Construction Certificate, McKenzie Group, 22/10/21 (covers Balance of works to JN Building, excluding landscaping, air bridge, automated racking and ancillary buildings</p> <p>Construction Certificate, McKenzie Group, 10/01/22 (covers Landscaping, air bridge, automated racking and ancillary buildings</p> <p>Warning letter from DPE to Logos for breach on Condition B32 - 24/08/2022</p> <p>Warning letter from DPE to Logos for breach on Condition B125 - 9/12/2022</p> <p>Warning letter from DPE to Logos for breach on Condition B171 – 14/02/2023</p> <p>Email from Logos to DPE with notification of potential non-compliance for Condition B125 – 20/02/2023</p>	<p>2022, which is 2.5 months after the inspection was carried out). The Department elected to not take further regulatory action in relation to the matter.</p> <ul style="list-style-type: none"> On 9 December 2022 the Department issued a warning letter for breach on Condition B125 (Helicopter operation outside of standard working hours on the 12 November 2022 at Richard Crookes Construction site). The Department elected to not take further regulatory action in relation to the matter. <p>The new approach from the project team is to programme the works per areas, so they can gradually progress with the works.</p> <ul style="list-style-type: none"> On 14 February 2023 the Department issued a warning letter for breach on Condition B171 (A non-compliance was identified on the 7 September 2022 for not submitting the SAR and SAS to the Department upon completion of importation and placement of fill and prior to construction of permanent built surface works on the Western Ring Road). The Department elected to not take further regulatory action in relation to the matter. <p>Non-compliance: Based on non-compliant conditions identified during this audit, the 3 warning letters received from the Department and the notification for potential of non-compliance on condition B125, condition A3 is considered non-compliant.</p>	
A4	<p>Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:</p> <ol style="list-style-type: none"> the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and the implementation of any actions or measures contained in any such document referred to in condition A4(a). 	Interview with auditees 15/03/2023	No directions have been received from the Department, noting the breach notices referred to in A3.	Compliant
A5	<p>The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in Conditions A3(c) – (d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in Conditions A3(c) – (d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.</p> <p><i>Note: For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Planning Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.</i></p>	-	Noted. This audit assess compliance with the consent first and foremost. No inconsistencies or ambiguities have been identified.	Not Triggered
Limits of Consent				
Lapsing				
A6	This consent lapses five years after the date from which it operates unless the development has physically commenced on the land to which the consent applies before that date.	Interview with auditees 15/03/2023	The consent was granted on 11/11/2019. Project works had commenced in 2021.	Compliant
Construction Limits				
A7	Only VENM, ENM, or other imported fill material approved in writing by EPA is to be placed on the site.	EPL License No. 21054 issued 4/6/2018 Moorebank Precinct West Import Fill Protocol, CARAS - Weight Bridge tracking program (from 18/8/2022 to 11/02/2023)	The CARAS Moorebank Precinct West Import Fill Protocol sets out the requirements for assessment, hold point, material tracking, criteria, non-conformance / corrective actions.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<p>M6 Stage 1 Tunnel Spoil RRO Compliance Report 24/10/2022, 25/10/2022, 02/03/2022 from Ade Consulting Group</p> <p>Waste Classification reports from Ade Consulting Group for the following:</p> <ul style="list-style-type: none"> - Sydney Olympic Park Construction Site, Sydney Metro West; Central Tunnelling Package – Station Box dated 5/10/2022 - Burwood North Station, Station Box and South-eastern Shaft Sydney Metro West; Central Tunnelling Package 10/11/2022 <p>Waste Classification reports from BBN Consulting for 10 Monash Rd, Gladesville, NSW dated 31/10/2022</p> <p>VENM Assessment Report for 280-298 Railway Parade, Carlton, NMSW from TRINITAS Group dated 9/12/2022</p> <p>VENM Classification letter for Wallacia Quarry from Hi-Quality Quarry dated 2/12/2022</p> <p>VENM Soil Export Classification Certificate (1 Ellen Subway, Mortdale) from CHEC dated 9/2/2022</p> <p>VENM Soil / Waste Classification from Geo-Logic Solutions dated 23/9/2022 for 40-42a Park Road, Auburn</p> <p>Waste Classification Certificate from eiaustralia:</p> <ul style="list-style-type: none"> - Lot 4, 158-164 Hawkesbury Rd, Westmead, 20/10/2022 - 5 Uhrig Road, Lidcombe, 19/01/2022 - 89-93 Railway Parade, Mortdale, 09/08/2022 - 723 – 729 Princess Highway, Blakehurst, 29/11/2022 <p>VENM Report from Aargus for:</p> <ul style="list-style-type: none"> - 1262-1270 Canterbury Rd, Roseland dated 17/10/2022 - Site 901-923 Canterbury Road, Lakemba 26/08/2022 <p>ENM Material Characterisation Assessment for Nominated Stockpiled Material at 2 Cambridge Avenue Glenfield, 27/01/2023 and 2/2/2023 from Geotest Services</p> <p>Waste Classification Report (VENM) for 117-119 Waratah Street, Kirrawee from Assured Safety Consultants dated 22/11/2022</p> <p>Waste Classification for Edmondson Park from Environmental Services, 1/9/2022</p>	<p>Evidence was provided to demonstrate that imported material had been classified as VENM, ENM or material approved in writing by the EPA.</p> <p>VENM and ENM classification reports, Waste Analysis & Classification Reports were presented as evidence.</p> <p>Evidence was presented to indicate that the import of fill (VENM and ENM) was approved by the EPA under the Resource recovery order (order) and Resource recovery exemption (exemption) 'approval in writing', which are also published in the EPA website. EPL License also enables the project to do this.</p>	

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Site inspection 10/3/2023 and Interview with auditees 15/03/2023		
A8	The total volume of uncompacted fill to be imported must not exceed 1,600,000 m ³ .	Material Import Tonnages.xls, current to Feb 2023 from CARAS Weight Bridge tracking program (from 18/8/2022 to 11/02/2023). CARAS LPWPIW, MAUW & INTS: Independent Verification of Imported Fill, Progress Report for week ending 12/2/2023	The total import of uncompacted fill for MPWS2 currently sits at ~1,454,084m ³ . Daily totals are recorded through the two weighbridges. These are collated by CARAS as required. Sighted CARAS data for the weight bridge from 18/8/2022 to 11/02/2023.	Compliant
A9	Importation of imported fill must not exceed a total of 22,000 m ³ of material per day across this development and MPE Stage 2 (SSD 7628) on the same day.	Material Import Tonnages.xls, current to Feb 2023 from CARAS Weight Bridge tracking program (from 18/8/2022 to 11/02/2023). Letter Aspect to IPC, 19/07/21 Notice of Modification: Condition A9 of SSD 7709 Moorebank Precinct West Stage 2	A9 has been adjusted down to 13,000m ³ per day. The total import of uncompacted fill for MPW2 currently sits at ~1,454,084m ³ . Daily totals are recorded through the two weighbridges. These are collated by CARAS as required. According to the records, the largest single day of import for Feb 2023 was ~6,933 tonnes (3,151 m ³).	Compliant
A10	No construction (including clearing and maintenance access) is permitted within the riparian corridor except for that identified on the revised drawings approved under Condition B2 and activities associated with vegetation and stormwater management.	CEMP 2/12/2021 Rev. Q Appendix C - Environmental Control Maps PIWW-RCG-AR-DRW-0100 (Issue N) MPW Master Plan Part 1 – 4/3/2021 PIWW-RCG-AR-DWG-0101 (Issue L) MPW Master Plan Part 2 – 4/3/2021 Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The figures in the FFMP align with the approved plans. These are then transposed onto the clearing permits. Boundaries are surveyed and flagged before clearing. Clearing is not permitted beyond the flagging. No issues observed during the site inspection. Refer to photos in Appendix E CEMP Rev. Q Appendix C - Environmental Control Maps	Compliant
A11	No works in the riparian corridor outside the site are permitted under this approval. <i>Note: DPI (Lands) must be consulted on design, approvals and licencing for any works on Crown land for the purposes of discharging stormwater from the site (including scour protection/ erosion control).</i>	CEMP 2/12/2021 Rev. Q Appendix C - Environmental Control Maps PIWW-RCG-AR-DRW-0100 (Issue N) MPW Master Plan Part 1 – 4/3/2021 PIWW-RCG-AR-DWG-0101 (Issue L) MPW Master Plan Part 2 – 4/3/2021 Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The figures in the FFMP align with the approved plans. These are then transposed onto the clearing permits. Boundaries are surveyed and flagged before clearing. Clearing is not permitted beyond the flagging. No issues observed during the site inspection. Refer to photos in Appendix E CEMP Rev. Q Appendix C - Environmental Control Maps	Compliant
A12	No works are permitted by the Applicant within the RMS (M5 Motorway) land and no impact is permitted on Roads and Maritime drainage infrastructure system or on adjoining Roads and Maritime assets, without the consent of the RMS and M5 Motorway Operator (Interlink).	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The works to date have not interfaced with RMS assets.	Not Triggered
Operational Limits				
A13	The container freight throughput for MPW must not exceed 500,000 TEU p.a.	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The project is under construction.	Not Triggered
A14	Containers that are transferred between the site and Port Botany must be transferred by rail, unless there is planned track maintenance or where unforeseen circumstances have occurred (e.g., an incident, breakdown, derailment or emergency maintenance on the rail line).	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The project is under construction.	Not Triggered
A15	The transfer of containers between Port Botany and the intermodal terminal facility must not commence until the rail connection to the Southern Sydney Freight Line is operational.	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The project is under construction.	Not Triggered
A15A	The development must not generate more than:	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The project is under construction.	Not Triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	(a) 2,670 light vehicle movements a day during operation; and (b) 1,654 heavy vehicle movements a day during operation.			
A15B	The applicant must keep accurate records of the number of heavy and light vehicles entering and leaving the site each day. These records must be provided to the Planning Secretary upon request, and to the approved traffic auditor upon the trigger events in B120B occurring and prior to the commencement of the Traffic Audit required under condition B120A.	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The project is under construction.	Not Triggered
A16	The maximum GFAs for the following uses apply: a) 215,000 m ² for the warehousing and distribution facilities; and b) 800 m ² for the freight village.	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The project is under construction.	Not Triggered
A16A	Warehousing associated with the development is to be limited to the area identified in the plan titled 'Precinct Modification Plan — Proposed' (Drawing No JR-SK-A-0-9402, Revision G), prepared by Bell Architecture and dated 16 October 2020).	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The project is under construction.	Not Triggered
A17	The warehousing and distribution facilities must only be used for activities associated with freight using the either the MPE or MPW rail intermodal terminal.	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The project is under construction.	Not Triggered
A18	Notwithstanding Condition A17 , movements of containers between a rail intermodal terminal on either MPE and MPW site, and a warehouse on either the MPE or MPW site, are permitted where those movements are also approved for MPE.	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The project is under construction.	Not Triggered
A19	For the avoidance of doubt, nothing in this consent permits: a) the occupation or use of a warehouse and/or distribution facility on the site before the commencement of operation of either the MPE or MPW rail intermodal terminal; or b) truck-to-truck movements.	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The project is under construction.	Not Triggered
A20	Freight village tenants and occupations are restricted to those activities that provide: a) ancillary support for the development, its tenants, worker population and visitors; b) a nexus with activities undertaken in relation to the warehouse, logistics functions of the IMT development and/ or; c) provide aligned services to the intermodal functions.	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The project is under construction.	Not Triggered
Access for People with a Disability				
A21	The siting, design and construction of premises available to the public are to ensure an appropriate level of accessibility so that all people can enter and use these premises. Access is to meet the requirements of the <i>Disability Discrimination Act 1992</i> , relevant Australian Standards and Building Code of Australia (BCA).	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	The project is under construction.	Not Triggered
Demolition				
A22	All demolition must be carried out in accordance with <i>Australian Standard AS 2601-2001 The Demolition of Structures</i> (Standards Australia, 2001).	Interview with auditees 15/03/2023	No demolition works have occurred under SSD 7709. These occurred under SSD 5066.	Not Triggered
Structural Adequacy				
A23	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be designed and constructed in accordance with the relevant requirements of the BCA. Note: <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. 	Site inspection 10/3/2023 and Interview with auditees 15/03/2023 Construction Certificate, McKenzie Group, 10/05/21 (covers Site-wide earthworks, main warehouse foundations, site wide stormwater, site wide inground services, and ground slabs to high bay associated with the JN Building at Moorebank Logistics Park Western Stage 2) Construction Certificate, McKenzie Group, 13/07/21 (covers JN Building Main Carpark & Warehouse Building Structure and Façade including: ▪ Main carpark & warehouse superstructure (including Steel Shell) ▪ Main warehouse wall and roof cladding, ▪	Woolworths, warehouse 6 still under construction. The Certifier has verified compliance with the BCA through issue of Construction Certificates. Sighted Warehouse 5 (RDC) Woolworths JR Facility Structural Design Certification – CC4 dated 3/5/2022 issued by Costin Roe Consulting. Presented Construction Certificates from McKenzie Group 03 and 04. Construction Certificate, McKenzie Group 25/1/2022 (No. 190836/03) listed the Design Statement for Structural Works prepared by Costin Roe dated 21 January 2021. Construction Certificate, McKenzie Group 24/5/2022 (No. 190836/04) Design Certificate for Structural Works prepared by Costin Roe Consulting dated 3 May 2022	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<p>Remaining ground slab to the main warehouse</p> <p>Construction Certificate, McKenzie Group, 22/10/21 (covers Balance of works to JN Building, excluding landscaping, air bridge, automated racking and ancillary buildings)</p> <p>Construction Certificate, McKenzie Group, 10/01/22 (covers Landscaping, air bridge, automated racking and ancillary buildings.</p> <p>Construction Certificate, McKenzie Group 25/1/2022 (No. 190836/03) (covers warehouse, car parking, amenities, pump house, energy complex, gate houses, etc).</p> <p>Construction Certificate, McKenzie Group 24/5/2022 (No. 190836/04) covers warehouse, car parking, amenities, pump house, energy complex, gate houses, etc).</p>		
External Walls and Cladding				
A24	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	<p>Site inspection 10/3/2023</p> <p>Construction Certificate, McKenzie Group, 10/05/21 (covers Site-wide earthworks, main warehouse foundations, site wide stormwater, site wide inground services, and ground slabs to high bay associated with the JN Building at Moorebank Logistics Park Western Stage 2)</p> <p>Construction Certificate, McKenzie Group, 13/07/21 (covers JN Building Main Carpark & Warehouse Building Structure and Façade including: ▪ Main carpark & warehouse superstructure (including Steel Shell) ▪ Main warehouse wall and roof cladding, ▪ Remaining ground slab to the main warehouse</p> <p>Construction Certificate, McKenzie Group 25/1/2022 (No. 190836/03) (covers warehouse, car parking, amenities, pump house, energy complex, gate houses, etc).</p> <p>Construction Certificate, McKenzie Group 24/5/2022 (No. 190836/04) covers warehouse, car parking, amenities, pump house, energy complex, gate houses, etc).</p> <p>CC05 – Design Certificate dated 17/10/2022 from Bell</p> <p>CC4 - Structural Design Certificate dated 3/5/2022 from Costin Roe for JR Facility</p>	<p>Woolworths, warehouse 6 (JN) still under construction. The Certifier has verified compliance with the BCA (including external walls and cladding) through issue of Construction Certificates.</p> <p>Warehouse 5 (RDC) Woolworths JR Facility Structural Design Certification – CC4 dated 3/5/2022 issued by Costin Roe Consulting. Presented Construction Certificates from McKenzie Group 03 and 04 verified compliance with external walls and cladding through issue of Construction Certificates.</p> <p>Construction Certificate, McKenzie Group 25/1/2022 (No. 190836/03) listed the Design Statement for Structural Works prepared by Costin Roe dated 21 January 2021.</p> <p>Construction Certificate, McKenzie Group 24/5/2022 (No. 190836/04) Design Certificate for Structural Works prepared by Costin Roe Consulting dated 3 May 2022</p> <p>CC05 - Design Certificate dated 17/10/2022 from Bell indicating that external walls achieve compliance with BCA 20149 (waterproofing).</p> <p>CC4 - Structural Design Certificate dated 3/5/2022 from Costin Roe for JR Facility</p>	Compliant
A25	Before the issue of a Construction Certificate and an Occupation Certificate, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external	<p>Site inspection 10/3/2023</p> <p>Construction Certificate, McKenzie Group, 10/05/21 (covers Site-wide earthworks, main</p>	Woolworths, warehouse 6 (JN) still under construction and Warehouse 5 (JR) started construction works last year.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.	<p>warehouse foundations, site wide stormwater, site wide inground services, and ground slabs to high bay associated with the JN Building at Moorebank Logistics Park Western Stage 2)</p> <p>Construction Certificate, McKenzie Group, 13/07/21 (covers JN Building Main Carpark & Warehouse Building Structure and Façade including: ▪ Main carpark & warehouse superstructure (including Steel Shell) ▪ Main warehouse wall and roof cladding, ▪ Remaining ground slab to the main warehouse</p> <p>Construction Certificate, McKenzie Group, 22/10/21 (covers Balance of works to JN Building, excluding landscaping, air bridge, automated racking and ancillary buildings</p> <p>Construction Certificate, McKenzie Group, 10/01/22 (covers Landscaping, air bridge, automated racking and ancillary buildings</p> <p>Construction Certificate, McKenzie Group 25/1/2022 (No. 190836/03) (covers warehouse, car parking, amenities, pump house, energy complex, gate houses, etc).</p> <p>Construction Certificate, McKenzie Group 24/5/2022 (No. 190836/04) covers warehouse, car parking, amenities, pump house, energy complex, gate houses, etc).</p> <p>CC05 – Design Certificate dated 17/10/2022 from Bell</p> <p>CC4 - Structural Design Certificate dated 3/5/2022 from Costin Roe for JR Facility</p> <p>CC3 - Structural Design Certificate dated 21/1/2022 from Costin Roe for JR Facility</p>	<p>The Certifier, McKenzie Group, has verified compliance with the BCA (including external walls and cladding) through issue of Construction Certificates.</p> <p>Warehouse 6 (JN) – Construction Certificate, McKenzie Group, 13/07/21</p> <p>Warehouse 5 (JR) – Construction Certificate, McKenzie Group 25/1/2022</p> <p>Construction Certificate, McKenzie Group 25/1/2022 (No. 190836/03) listed the Design Statement for Structural Works prepared by Costin Roe dated 21 January 2021.</p> <p>Construction Certificate, McKenzie Group 24/5/2022 (No. 190836/04) Design Certificate for Structural Works prepared by Costin Roe Consulting dated 3 May 2022</p> <p>CC05 - Design Certificate dated 17/10/2022 from Bell indicating that external walls achieve compliance with BCA 20149 (waterproofing).</p> <p>CC4 - Structural Design Certificate dated 3/5/2022 from Costin Roe for JR Facility</p> <p>CC3 - Structural Design Certificate dated 21/1/2022 from Costin Roe for JR Facility</p>	
A26	The Applicant must provide a copy of the documentation given to the Certifying Authority under Condition A25 to the Planning Secretary within seven days after the Certifying Authority accepts it.	<p>Site inspection 10/3/2023</p> <p>SSD7709_MPW2</p> <p>Warehouse 5 (JR) Construction Certificate, McKenzie Group 25/1/2022 (No. 190836/03) (covers warehouse, car parking, amenities, pump house, energy complex, gate houses, etc).</p> <p>CC3 - Structural Design Certificate dated 21/1/2022 from Costin Roe for JR Facility</p> <p>Construction Certificate, McKenzie Group 24/5/2022 (No. 190836/04) covers warehouse, car parking, amenities, pump house, energy complex, gate houses, etc).</p>	<p>Non-compliance: For Warehouse 5, the Structural Design Certification (CC4) was received on the 3 May 2022 from Costin Roe Consulting. This Certificate (which includes the products and systems proposed for use in the construction of external walls and claddings) has been included in the Construction Certificate No. 190836/04 dated 24 May 2022 from Mckenzie Group</p> <p>The above information was submitted to the Department on the 13 December 2022, which is more than 7 days after the Certifier accept it.</p>	Non-Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		CC4 - Structural Design Certificate dated 3/5/2022 from Costin Roe for JR Facility Post approval lodgement to DPE for condition A26, 13/12/2022		
Applicability of Guidelines				
A27	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Interview with auditees 15/03/2023	The CEMP and sub-plan suite of documents refer to the applicable standards and guidelines. The auditees advise that there have been no formal directions issued to the Project in relation to this condition.	Compliant
Evidence of Consultation				
A28	Where conditions of this consent require consultation with an identified party, the Applicant must: a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and b) provide details of the consultation undertaken in the document submitted to the Planning Secretary including: i. the outcome of that consultation, matters resolved and unresolved (and the justification for matters remaining unresolved); and ii. details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Construction Traffic and Access Management Plan Moorebank Precinct West Stage 2 and Moorebank Precinct West Stage 3, SIMTA, 14/09/21 (the CTAMP) – Section 1.4 (Consultation)	Evidence of consultation was included in the relevant documentation. The CTAMP was updated and required to be consulted on (access via Chatman Ave) completed in 2021. No other consultation has been required in this audited period.	Not Triggered
Community Consultative Committee				
A29	Before the commencement of construction, a Community Consultative Committee (CCC) must be established for the development in accordance with the Department's <i>Community Consultative Committee Guidelines: State Significant Projects</i> (2019). The CCC must begin to exercise functions in accordance with such Guidelines before the commencement of construction and continue to do so for the duration of construction, upgrading and operation and for at least six months following the completion of decommissioning.	Interview with auditees 15/03/2023 CCC Meeting Minutes https://simta.com.au/project-wide/ CCC Meeting minutes for 16/2/2023	The CCC was established prior to construction of SSD 7709 and meets quarterly. Records are available on the SIMTA website.	Compliant
A30	The Planning Secretary may consider a request to expand an existing MPW or MPE CCC to cover the development and to satisfy Condition A29 .	Letter DPIE to SIMTA, 06/02/20 Letter DPIE to SIMTA, 04/12/19	The Department approved the expansion of the previous CCC to cover SSD 7709.	Compliant
Community Communication				
A31	A Community Communication Strategy must be prepared and submitted to the Planning Secretary for approval no later than one month before the commencement of construction. The Community Communication Strategy is to provide mechanisms to facilitate communication between the Applicant, the Council(s) and the community (including adjoining affected landowners and businesses, and others directly impacted by the development). The Community Communication Strategy must: a) assign a central contact person to keep the nearby sensitive receivers regularly informed throughout the development; b) detail the mechanisms for regularly consulting with the local community throughout the development, such as holding regular meetings to inform the community of the progress of the development and report on environmental monitoring results; c) detail a procedure for consulting with nearby sensitive receivers to schedule high noise generating works, vibration intensive activities or manage traffic disruptions; d) include contact details for key community groups, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders; and e) include a complaints procedure for recording, responding to and managing complaints, including: i. email, toll-free telephone number and postal addresses for receiving complaints, ii. advertising the contact details for complaints before and during operation, via the local newspaper and through on-site signage,	Letter DPIE to SIMTA, 06/02/20 Community Communication Strategy Moorebank Precinct West Stage 2, 29/06/21	The Department approved the CCS in February 2020, which was well before the commencement of construction of SSD 7709 (construction under the terms consent commenced 01/12/20). It was updated in June 2021 to incorporate MPW3 (refer B19 of SSD 10431). No changes to the CCS in the audited period.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	<ul style="list-style-type: none"> iii. a complaints register to record the date, time and nature of the complaint, details of the complainant and any actions taken to address the complaint, and iv. procedures for the resolution of any disputes that may arise during the course of the development. 			
A32	<p>The Applicant must:</p> <ul style="list-style-type: none"> a) not commence Construction until the Community Communication Strategy has been approved by the Planning Secretary. b) implement for the Community Communication Strategy for the duration of construction and for 12 months following the commencement of operation. 	<p>Letter DPIE to SIMTA, 06/02/20</p> <p>Community Communication Strategy Moorebank Precinct West Stage 2, 29/06/21</p>	<p>The Department approved the CCS in February 2020, which was well before the commencement of construction of SSD 7709 (construction under the terms consent commenced 01/12/20). It was updated in June 2021 to incorporate MPW3 (refer B19 of SSD 10431).</p> <p>The CCS appears to be implemented during the works, website is up to date, the CCC meetings have been carried out and OOHW have been communicated accordingly using letter box drops.</p>	Compliant
Environmental Representative				
A33	Works must not commence until an Environmental Representative (ER) has been approved by the Planning Secretary and engaged by the Applicant.	Letter DPIE to SIMTA, 29/11/19	The Department approved the ER on 24/11/19. This was prior to one month before commencement of works. Refer CoC A46.	Compliant
A34	The Planning Secretary's approval of an ER must be sought no later than one month before the commencement of works, or within another timeframe agreed with the Planning Secretary.	Letter DPIE to SIMTA, 29/11/19	The Department approved the ER on 24/11/19. This was prior to one month before commencement of works. Refer CoC A46.	Compliant
A35	<p>The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the EIS, Response to Submissions and any other supporting information submitted as part of applications for either MPW or MPE, and is independent of the construction and design personnel for the project and those involved in delivery of it.</p> <p>Note: Should the requirements of the conditions of this consent be satisfied, an ER approved for MPE and MPW development may also be considered for approval for the development.</p>	Letter DPIE to SIMTA, 29/11/19	The Department approved the ER on 24/11/19. This was prior to one month before commencement of works. Refer CoC A46.	Compliant
A36	The Applicant may engage more than one ER for the development, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Planning Secretary for the purposes of the development.	<p>Letter DPIE to SIMTA, 29/11/19</p> <p>Letter DPE to Aspect, 27/10/20</p> <p>Letter DPE to Aspect, 3/12/2021</p>	<p>The Department approved the ER on 24/11/19. This was prior to one month before commencement of works. Refer CoC A46.</p> <p>On 27/10/2020 Chris Jack was appointed the ER for MPWS2.</p> <p>Nomination of an ER and approval Adam Bishop as alternate ER 3/12/2021 for MPWS2.</p>	Compliant
A37	<p>For the duration of the works until 6 months after the commencement of operation (or staged operation), or as agreed with the Planning Secretary, the approved ER must:</p> <ul style="list-style-type: none"> a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the development; b) consider and inform the Planning Secretary on matters specified in the terms of this consent; c) consider and recommend to the Applicant any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community; d) review documents required under this consent and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this consent and if so: <ul style="list-style-type: none"> i. make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or ii. make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary/ Department for information or are not required to be submitted to the Planning Secretary/ Department); e) regularly monitor the implementation of the documents required under this consent to ensure implementation is being carried out in accordance with the document and the terms of this consent; 	<p>ER endorsement letter for CEMP – Rev. R, 2/12/2022 and sub-plans, letter dated 24/5/2022</p> <p>MPW S2 Environmental Representative Site Inspection Report from Pitt & Sherry:</p> <ul style="list-style-type: none"> - 28/04/2022 - 08/06/2022 - 04/08/2022 - 27/10/2022 - 08/12/2022 <p>MPWS2 SSD 7709 – ER Monthly Reports from Pitt & Sherry for: from April 2022 to Feb 2023 as follows:</p> <ul style="list-style-type: none"> - April 2022, submitted 9/5/22 - May 2022, submitted 10/6/22 - June 2022, submitted 12/7/22 - July 2022, submitted 5/8/22 	<p>The ER Inspection and Monthly Reports indicate that they are carrying out their functions under the condition.</p> <p>Records demonstrate that the ER reviewed and endorsed the CEMP and sub-plans.</p> <p>Presented Request for Minor Amendments:</p> <ul style="list-style-type: none"> - RFMA #13 on the CEMP updated (12/2022) for the adjustment of construction boundary, letter from ER dated 24/5/2022. - RFMA #14 minor ancillary facility INTS for Martinus dated 16/6/2022 approved by the ER. - RFMA #15 updates on the driver code of conduct dated 12/8/2022 approved by the ER. <p>Evidence for submission of the ER monthly reports to DPE through the Planning portal was sighted for Jul and Dec 2022, and for Jan and Feb 2023 reports.</p>	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	<p>f) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the development commissioned by the Department including scoping audits, programming audits, briefings, and site visits, but not Independent Audits required under Condition C18 of this consent;</p> <p>g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints; and</p> <p>h) assess the impacts of minor ancillary facilities comprising lunch sheds, office sheds and portable toilet facilities as required by Condition A40 of this consent;</p> <p>i) consider any minor amendments to be made to the CEMP or CEMP sub-plans that require updating, or amendments of an administrative nature, and are consistent with the conditions of this consent and the most recent version of the CEMP or CEMP sub-plan approved by the Planning Secretary, and if satisfied that such an amendment is necessary, approve the minor amendment; and</p> <p>j) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Department's <i>Environmental Representative Protocol</i> (2018) under the heading "Environmental Representative Monthly Reports." The Environmental Representative Monthly Report must be submitted within seven calendar days following the end of each month for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary.</p>	<ul style="list-style-type: none"> - August 2022, submitted 8/9/22 - September 2022, submitted 14/10/22 - October 2022, submitted 11/11/22 - November 2022, submitted 5/12/22 - December 2022, submitted 6/1/23 - January 2023, submitted 22/2/23 - February 2023, submitted 7/3/23 <p>DPE post approval portal record 5/8/22 (lodgement of July 2022 ER Monthly Report)</p> <p>DPE post approval portal record 6/1/2023 (lodgement of Dec 2022 ER Monthly Report)</p> <p>DPE post approval portal record 22/2/2023 (DPE acknowledgement of Jan 2023 ER Monthly Report)</p> <p>DPE post approval portal record 7/3/2023 (DPE acknowledgement of Feb 2023 ER Monthly Report)</p> <p>Emails from ER to DPE requesting extension of time for late submission of monthly reports for June, August, September and October 2022. DPE approval responses.</p> <p>Environmental Tracking Regsiter.xls (live document)</p>	<p>Evidence for submission of the monthly reports was sighted including extension of time as follows:</p> <ul style="list-style-type: none"> - June report. Extension of time requested 5/7/22, approved by DPE on the same day to provide report by 12/7/2022. Report was submitted 12/7/2022. - August report. Extension of time requested 6/9/22, approved by DPE on the same day to provide report by 9/9/2022. Report was submitted 8/9/2022. - September report. Extension of time requested 29/9/22, approved by DPE on the 30/09/22 to provide report by 14/10/2022. Report was submitted 14/10/2022. - October report. Extension of time requested 1/11/22, approved by DPE on the 4/10/22 to provide report by 11/11/2022. Report was submitted 11/11/2022. - January report. Notification for late report sent to DPE 20/2/23, response from DPE 21/2/23 accepting late submission of the report. January Report was submitted 22/2/23. 	
A38	<p>The Applicant must provide all documentation requested by the ER in order for the ER to perform their functions specified in Condition A37 (including preparation of the ER monthly report), as well as:</p> <ul style="list-style-type: none"> a) the complaints register (to be provided on a monthly basis); and b) a copy of any assessment carried out by the Applicant of whether proposed work is consistent with the consent (which must be provided to the ER before the commencement of the subject work). 	<p>MPW S2 & S3 Environmental Representative Site Inspection Report from Pitt & Sherry:</p> <ul style="list-style-type: none"> - 28/04/2022 - 08/06/2022 - 04/08/2022 - 27/10/2022 - 08/12/2022 <p>MPW S2 SSD 7790 - ER Monthly Reports from Pitt & Sherry from April 2022 to February 2023</p> <p>Interview with auditees 15/03/2023</p> <p>Emails sighted between TSA, the ER and DPE providing monthly complaint updates</p>	<p>Evidence demonstrates that the complaints register is being provided to the ER monthly.</p> <p>Assessments have been provided to the ER prior to the works being undertaken.</p>	Compliant
A39	<p>The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under Condition C20. The Applicant must:</p> <ul style="list-style-type: none"> a) facilitate and assist the Planning Secretary in any such audit; and b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit. 	Interview with auditees 15/03/2023	No audits have been commissioned by the Department.	Not Triggered
Minor Facilities				
A40	<p>Minor ancillary facilities, including lunch sheds, office sheds, portable toilet facilities, and the like, can be established where they satisfy the following criteria:</p> <ul style="list-style-type: none"> a) are located within the construction boundary; and b) have been assessed by the ER to have: 	ER approval of RFMA 014, Minor Ancillary Facility INTS (Martinus Site) 16/6/2022	Presented RFMA #14 minor ancillary facility INTS for Martinus dated 16/6/2022 approved by the ER.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	<ul style="list-style-type: none"> i. minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the <i>Interim Construction Noise Guideline (DECC, 2009)</i>, traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and ii. minimal environmental impact with respect to waste management and flooding, and iii. no impacts on biodiversity, soil and water, and heritage items beyond those already approved under other terms of this approval. 	Construction Environmental Management Plan Moorebank Precinct West Stage 2, SIMTA, Rev. Q, 2/12/2021	Other main and ancillary compounds are identified in the approved CEMP.	
Submitting, Staging, Combining and Updating Strategies, Plans or Programs				
A41	Unless stated otherwise, the Applicant must submit strategies, plans and programs required under this consent to the Planning Secretary at least one month prior to commencement of construction or operation.	<p>Interview with auditees 15/03/2023</p> <p>Letter DPE to Qube, 07/09/21 (approval of MPW2 / MPW3 CEMP, CCS, CERP (including FERSP))</p> <p>Letter DPE to Qube 24/09/21 (approval of MPW2 / MPW3 CTAMP)</p> <p>Letter DPE to Qube 12/11/21 (approval MPW2 / MPW3 CSWMP)</p> <p>Letter DPE to Qube, 25/10/21 (approval of the MPW2 / MPW3 CNVMP).</p>	<p>The strategies, plans and programs are not being staged.</p> <p>In accordance with B19 of SSD 10431, the CEMP, CTAMP, CNVMP, CSWMP and FERSP were prepared to capture the requirements of both MPW2 and MPW3. The plans set out how each condition and other relevant requirement has been addressed.</p> <p>CEMP was revised in December 2022 and is in the process of been approved by DPE.</p> <p>The plans were progressively approved by the Department during 2022.</p>	Compliant
A42	<p>Unless stated otherwise in this consent, the Applicant with the approval of the Planning Secretary may:</p> <ul style="list-style-type: none"> c) prepare and submit any strategy, plan or program required by this consent as part of the construction or operational environmental management plan on a staged basis; d) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and e) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development). <p>Note: Documents that cannot be staged include Development Layout Drawings required under Condition B2, and Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation required under Condition B4, and Site Audit Statement required under Condition B169.</p>	<p>Letter from DPE to Aspect dated 14/5/2021 re. request to Stage a Plan (Condition A42, B171), approval was granted for the request made on the 28/4/2021.</p> <p>CEMP revised in 21/12/2022</p> <p>Monthly Meeting Minutes 13/12/2022</p>	<p>The Project is not being staged. Refer above with respect to management plans, strategies and programs not being staged. Other than the merging of the MPWS2 and MPWS3 plans there have been no aggregation of plans.</p> <p>CEMP was under review during December 2022 with some updates made on the ECMs, unexpected finds protocols, and figures.</p> <p>Revised CEMP was submitted to DPE on the 9/12/22, however, there were some issues in the portal. Sighted monthly meeting minutes 13/12/2022 with attendance of DPE, Aspect, Logos and Qube representatives indicating that MPWS2 CEMP was submitted on the 9/12/22 and 11/12/2022.</p>	Compliant
A43	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	<p>As above.</p> <p>Evidence referred to elsewhere in this Table and Appendix B.</p>	As above. The plans appear to be implemented and latest versions uploaded on the website.	Compliant
Staging of Construction				
A44	<p>Prior to the commencement of construction, a Staging Report must be submitted to the Planning Secretary for approval where it is proposed to construct and operate warehousing in sub-stages. The Staging Report must include:</p> <ul style="list-style-type: none"> a) the revised Development Layout Drawings required under Condition B2; b) detailed drawings showing warehouses, estate infrastructure and landscaping to be delivered in each sub-stage, and how each sub-stage of estate infrastructure and landscaping connects to other sub-stages including the intermodal terminal facility; c) details of how the development will relate to concurrent construction on MPE as described in the construction program included in the approved Construction Environmental Management Plan for MPE Stage 2 (SSD 7628); d) general timing of construction sub-stages that impact upon the timing of the development subject of this consent; and e) details of the relevant conditions of the Concept Approval (5066) and of this consent that would apply to each sub-stage. 	Interview with auditees 15/03/2023	The project is not being staged.	Not Triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	Note: The Staging Report will need to be amended with any approved version update of the MPE Stage 2 CEMP.			
A45	Prior to the commencement of operation of each warehousing sub-stage, evidence must be provided to the satisfaction of the Planning Secretary that all estate infrastructure, including internal estate roads, bushfire protection infrastructure, utilities, drainage and stormwater quality infrastructure, has been constructed to the extent required to service the sub-stage. Note: These conditions do not relate to staged development within the meaning of section 83B of the EP&A Act	Interview with auditees 15/03/2023	The project is not being staged.	Not Triggered
Notification of Commencement				
A46	The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least 2 weeks before that date: a) any work; b) vegetation clearing required to conduct remediation; c) remediation; d) low impact works; e) construction; f) operation; g) cessation of operations; and h) decommissioning.	Letter SIMTA to DPIE, 10/02/20 Interview with auditees 15/03/2023 Email chain Aspect and JW Prince, 26/03/21. Email DPE to SIMTA, 01/02/22 (notice regarding late submission of the first Independent Audit report (breach of C17b)), and the need to include the response to the findings and breach notices in the second Independent Audit)	Notification of commencement of works and construction was provided on 10/02/20. The notified dates of commencement were: <ul style="list-style-type: none">25/02/20 for any work, vegetation clearing required to conduct remediation, remediation and low impact works.28/05/20 for construction. Note: The Department provided written directions to SIMTA on 28/01/22 and 01/02/22 which (among other things) indicated that the Department considered that construction commenced in January 2020 (not December 2020 as stated by the auditee during the first Independent Audit).	Compliant
A47	If the construction, operation or decommissioning of the development is to be staged, the Department must be notified in writing at least 2 weeks before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Interview with auditees 15/03/2023	The project is not being staged.	Not Triggered
Utilities and Public Infrastructure				
A48	The Applicant must engage a suitably qualified person to prepare a Pre-construction Dilapidation Report prior to the commencement of construction. This report must detail the structural condition of: (a) local public roads likely to be used by the development's construction traffic; (b) local public roads, cycleways, footpaths and utility services likely to be impacted by construction works; and (c) off-site private land or access to off-site private land likely to be impacted by construction works. The report must be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS, any affected private landowner, and the Planning Secretary.	Property survey condition – Commercial (ABB), 27/08/20 Dilapidation Report, MPW S2 Anzac Road, Craigmar Consulting, 18/08/19 Dilapidation Report, MPW S2 Bapaume Road, Craigmar Consulting, 03/09/19 Dilapidation Report, MPW S2 Moorebank Ave, Craigmar Consulting, 18/08/19 Email SIMTA to CCC, 26/03/20 Email SIMTA to LCC, 26/03/20 DPIE post approval portal lodgement, 26/04/20 Email SIMTA to RMS, 26/03/20 Letter Certifier to SIMTA, 25/03/20	Dilapidation reports were prepared prior to commencement of construction and were submitted to the identified stakeholders.	Compliant
A49	Before the commencement of construction, the Applicant must consult with the relevant owner and provider of utility services and public infrastructure that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection, support or relocation of the affected utility services and infrastructure.	Interview with auditees 15/03/2023 Drinking Water Connection Approval, Sydney Water, 17/08/21 Endeavour Energy Stamped Plans, 18/11/21 Sydney Water Moorebank Avenue Plans, 25/08/21	The utilities / services which have been affected are electricity (Endeavour Energy) and water / sewer (Sydney Water). Evidence indicates that the service providers have been consulted with the relevant approvals obtained thus far.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A50	<p>Unless the Applicant and the applicable owner/ authority agree otherwise, the Applicant must:</p> <ul style="list-style-type: none"> a) repair, or pay the full costs associated with repairing, any utility service or public infrastructure that is damaged by carrying out the development; b) relocate, or pay the full costs associated with relocating, any utility service or public infrastructure that needs to be relocated as a result of the development (including the road upgrades specified in Table 1); and c) provide for ongoing maintenance. <p>Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by conditions of this consent.</p>	<p>Interview with auditees 15/03/2023</p> <p>Site inspection 10/03/2023</p> <p>Sydney Water Interface Deed with Moorebank Intermodal Project (2020)</p> <p>Various Sydney Water stamped Plans from June-August 2020</p> <p>Endeavour Energy Stamped Plans, 18/11/21</p> <p>Sydney Water Moorebank Avenue Plans, 25/08/21</p>	<p>The utilities / services which have been affected are electricity (Endeavour Energy) and water / sewer (Sydney Water). Evidence indicates that the service providers have been consulted with the relevant approvals obtained thus far. Construction is ongoing.</p> <p>Presented evidence for:</p> <ul style="list-style-type: none"> - Executed Sydney Water Interface Deed (2020) and various stamped plans. - Endeavour Energy consultation (not related/affected MPW Stage 2) 	Not Triggered
A51	Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the <i>Sydney Water Act 1994</i> .	Site inspection 10/3/2023	The project is in construction. No compliance certificate yet.	Not Triggered
Telecommunications				
A52	<p>Before the issue of an Occupation Certificate for the development, the Applicant is to provide evidence, satisfactory to the Certifying Authority, that arrangements have been made for:</p> <ul style="list-style-type: none"> a) the installation of fibre-ready facilities to all individual lots and/ or premises to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/ or premises demonstrated through an agreement with a carrier. 	Site inspection 10/3/2023	The project is in construction. Occupation Certificate/s have yet to be issued.	Not Triggered
A53	The Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.	Site inspection 10/3/2023	The project is in construction	Not Triggered
Meteorology Monitoring				
A54	<p>Prior to the commencement of any works, and for the life of the development, the Applicant must ensure that there is a suitable meteorological station operating on the site or within the vicinity of the site that:</p> <ul style="list-style-type: none"> a) complies with the requirements in the latest version of EPA's <i>Approved Methods for Sampling of Air Pollutants in New South Wales</i> (DEC, 2016) (as may be updated or replaced from time to time); and b) is capable of continuous real-time measurement of atmospheric stability category determined by the sigma theta method in accordance with the <i>NSW Noise Policy for Industry</i> (NPI, EPA, 2017) (as may be updated or replaced from time to time). 	<p>Compliance Statement, Todoroski Air Sciences, 04/06/20</p> <p>Letter SIMTA to DPIE, 10/02/20</p> <p>Email chain Aspect and JW Prince, 26/03/21.</p> <p>http://www.bom.gov.au/products/IDN60901/IDN60901.95761.shtml</p> <p>Interview with auditees 15/03/2023</p>	<p>Holsworthy Barracks Weather Station (Station ID: 066161) is located approx. 1.5km away) is within the vicinity of site.</p> <p>The on-site meteorological station was installed in 17/04/20, however this was completed after the commencement of works (refer Independent Audit No. 1).</p>	Compliant
Works as Executed Plans				
A55	All detailed design drawings required to be submitted under this consent must be at or above 50% design completion, with the percentage design stated on the drawings.	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C (Appendix A)</p> <p>Letter DPIE to SIMTA, 19/05/20</p> <p>Letter DPIE to SIMTA, 29/05/20</p> <p>Drawing number MAAI-NRP-CV-DWG-0050, TfNSW registration DS2021/000784 (MAAI Overall Plan)</p>	<p>The drawings in the SDDR, approved by the Department, are marked as 50% design.</p> <p>The Department approved revised Development Layout Drawings on 29/05/20 which was prior to construction.</p> <p>The MAAI overall plan drawings are 100% design.</p>	Compliant
A56	Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor confirming that the stormwater drainage (water quality and detention infrastructure), road ways, parking and finished ground levels have been constructed as approved, must be submitted to the Certifying Authority.	Site inspection 10/03/2023	The project is in construction	Not Triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Development Contribution				
Council Contributions				
A57	Prior to the issue of a Construction Certificate for any part of the development, the Applicant must pay a monetary levy of 1% of the development Capital Investment Value (\$5,330,000) or other amount agreed to by Liverpool City Council for transport, drainage, community facilities, administration and professional and legal fees pursuant to section 7.13(2) of the EP&A Act.	Construction Certificate 190359/03 (for roads drainage electrical), dated 10/03/21 Construction Certificate 190359/02 (stormwater and civils), dated 08/02/21 Construction Certificate 190359/01 (for earthworks), dated 01/12/20 Payee advice, NAB, 30/11/20 (Payment to Council) Payee advice, NAB, 10/12/20 (Payment to RMS)	Payment was made to Council and RMS prior to construction.	Compliant
Road Upgrades				
A58	The Applicant must provide all monetary contributions and/ or works-in kind as relevant to the site, in accordance with the Voluntary Planning Agreement entered into between RMS and Qube RE Services (No. 2) Pty Limited in its capacity as the trustee of the Moorebank Industrial Terminals Asset Trust, Moorebank Industrial Terminals Operations Trust and Moorebank Industrial Warehouse Trust and executed on 25 March 2019 (VPA).	Payee advice, NAB, 10/12/20 (Payment to RMS)	Payment was made to Council and RMS prior to construction.	Compliant
Advisory Note				
AN1 - All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.				
Part B - Key Environmental Issues				
Development Layout				
B1	Notwithstanding the requirements of Conditions B2 and B4 , the Applicant may import and stockpile 160,000 m ³ of fill prior to finalisation of the Development Layout Drawings, Stormwater Design Development Report, Revised Stormwater System Design Drawings and supporting documentation , provided no vegetation removal is required and fill is stockpiled in previously cleared areas.	Site inspections from audits completed on SSD 5066 (14/02/20 and 25/11/20). Letter DPIE to SIMTA, 29/05/20 Letter DPIE to SIMTA, 19/05/20 Material Import Tonnages.xls, current to Feb 2023 from CARAS Weight Bridge tracking program (from 18/8/2022 to 11/02/2023). Interview with auditees 15/03/2023	At previous inspections undertaken for the audits on SSD 5066 it was observed that stockpiling did not extend beyond that permitted under that consent. Approximately 375,500 tonnes of fill were imported prior to 29/05/20, which equates to ~179,000 m ³ . Import of fill prior to December 2020 was undertaken under SSD 5066 and SSD 7628. Refer to the previous Audit Report for SSD 5066 with regards to the extent of importation of fill under that consent. Import has continued since the finalisation of the referenced plans.	Compliant
B2	Prior to commencement of construction, the Applicant must submit revised Development Layout Drawings to the Planning Secretary for approval. The revised Development Layout Drawings must be at a scale of approximately 1:2000 at A1 showing the key development elements including but not limited to estate infrastructure, internal roads, warehouse and associated carpark footprints, the freight village, intermodal terminal facility including the truck waiting area and emergency truck storage area, rail line and rail line vehicle access roads . The revised Development Layout Drawings must show the site, construction and operational boundaries and demonstrate: a) provision of a riparian corridor, comprising the following: i. a buffer zone to the most inland of: • 40 metres from the top of bank, as surveyed by a registered surveyor, or • the 1% AEP flood extent, excluding the localised depression at the existing major east-west drainage channel, and	Revised Development Layout Drawings (PIWW-RCG-AR-DWG) https://simta.com.au/mpw/ Letter DPE to SIMTA, 29/05/20 Revised Development Layout Drawings prepared by Watson Young (Rev. N dated 9/3/2021) submitted to DPE and approved 4/6/2021.	The Department approved revised Development Layout Drawings on 29/05/20 which was prior to construction. The drawings address the designs and constraints from this condition. Further revision of two drawings was made in March 2021 (Rev. N) Sighted - MPW Masterplan - Part 1 and 2 dated 4/3/2021.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	<ul style="list-style-type: none"> ii. an additional 10 metre extension to the buffer zone established in (i) above, where native vegetation is located on or within 10 metres east of the buffer; b) the siting of biofiltration/ bioretention areas and OSD basins (with the exception of outlets to the Georges River and associated maintenance access) are outside the riparian corridor and outside the warehouse footprints; c) no construction or operation works would take place inside biodiversity offset areas; d) compliance with the landscaped setbacks specified in Condition B63; e) compliance with the percentage of landscaped area specified in Condition B68(a) within the warehouse and freight village area and truck waiting area and emergency truck storage area to be developed under MPW Stage 2; f) a setback of 8 to 12 m has been provided around the north, south and western perimeters of the development area to accommodate fill batter slopes of a maximum of 1V in 4H; g) a minimum 3 m wide maintenance access has been provided between the fill slopes and the riparian corridor, the ABB site and at the southern end of the development area, for ongoing maintenance works where necessary to ensure ongoing maintenance works can be carried out without impacting on the riparian corridor or adjoining sites; h) provision of a controlled overland flow path through the MPW Stage 2 site as required under Condition B11 for conveyance of the major stormwater discharge from the MPE site to the Georges River; i) identify habitat corridor/s, of adequate dimensions to provide an adequate Koala habitat corridor as supported by a Koala specialist, to provide connectivity both within the Intermodal Precinct area and with other core koala habitat areas, as required under Condition B152. The drawings are to show any required connectivity structures and fencing; j) provision of a corridor between Moorebank Avenue and the Georges River for a possible future pedestrian connection across the Georges River to Casula Railway Station, of a width that would allow the future construction of a shared path that complies with the relevant suggested width set out in the Guide to Road Design Part 6A: Paths for Walking and Cycling (Austrroads, 2017); k) the bushfire asset protection requirements are within the development area; and l) setbacks from the surveyed boundary of Lot 2 DP 32998, Lot 3 DP 32998, and Lot 2 DP 547293. 	<p>Post Approvals - MPW Masterplan - Part 2, No. PIWW-RCG-AR-DWG-0101 dated 4/3/2021 Issue L from Watson Young</p> <p>Post Approvals - MPW Masterplan - Part 1, No. PIWW-RCG-AR-DWG-0100 dated 4/3/2021 Issue N from Watson Young</p>		
B3	To ensure the site will be developed in an integrated manner and that the whole development will comply with the conditions of this consent, submission of the Development Layout Drawings required by Condition B2 cannot be staged.	<p>Letter DPIE to SIMTA, 29/05/20</p> <p>Revised Development Layout Drawings prepared by Watson Young (Rev. N dated 9/3/2021) submitted to DPE and approved 4/6/2021.</p>	<p>The Department approved revised Development Layout Drawings on 29/05/20 which was prior to construction.</p> <p>Revised Development Layout Drawings (Rev. N dated 9/3/2021) submitted to DPE and approved 4/6/2021.</p>	Compliant
Soil and Water				
Revised Stormwater System Design				
B4	Prior to the commencement of construction (except to permit an initial stage comprising earthworks on land within 150m west of Moorebank Avenue along its alignment north of the overpass over the rail link), the Applicant must submit a Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation to the Planning Secretary for approval.	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation was approved by the Department on 19/05/20, which was prior to construction.	Compliant
B5	The Stormwater Design Development Report must document how WSUD principles outlined in Condition B9 have been incorporated into the design and operation of the development.	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation was approved by the Department on 19/05/20 and includes WSUD principals. The project is in construction.	Compliant
B6	To ensure the site will be developed in an integrated manner and that the whole development will comply with the conditions of this consent, submission of the Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation required by Condition B4 cannot be staged. <i>Note: Condition B4 allows the Applicant to conduct earthworks on land within 150m west of Moorebank Avenue along its alignment north of the overpass over the rail link prior to submission of these documents.</i>	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation was approved by the Department on 19/05/20. They are not staged.	Compliant
Stormwater Design Independent Peer Review				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B7	An Independent Peer Review report must be submitted with the Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation .	Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C (Appendix G) Letter DPIE to SIMTA, 19/05/20	The Independent Peer Review report was included in Appendix G of the Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation. It was approved by the Department on 19/05/20, which was prior to construction.	Compliant
B8	The review must: <ul style="list-style-type: none"> a) include a review of the numerical models used to develop the revised stormwater design; b) be undertaken by a technical expert, approved by the Planning Secretary, with over 15 years of experience in stormwater, flooding and water quality in NSW, including Water Sensitive Urban Design (WSUD), and not previously involved in preparation of drainage, flooding or hydrological designs or assessments for either MPW or MPE, or construction of either MPW or MPE; and c) include an assessment of the Revised Stormwater System Design Drawings and supporting documentation against all relevant conditions, stating whether the condition has been satisfied, and comments justifying the position. <p>Note: <i>The revised Stormwater System Design Drawings and supporting documentation will not be accepted until all the conditions have been accepted to the satisfaction of, and justified by, the peer reviewer.</i></p>	Letter DPIE to SIMTA, 10/02/20 Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C (Appendix G)	The Department approved the technical experts on 10/02/20. The Independent Peer Review report includes a review of each of the requirements specified in a) – c).	Compliant
Water Sensitive Urban Design				
B9	The revised stormwater system design, to be detailed in the Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation , must be consistent with the objectives and principles set out in the NSW Office of Water's Guidelines for Controlled Activities and incorporate water sensitive urban design principles outlined in relevant Council policies, plans, guidelines and specifications and RMS's Water Sensitive Urban Design Guideline 2017, including: <ul style="list-style-type: none"> a) treating stormwater as a resource; b) mimicking natural processes in the control of stormwater; c) integrating drainage infrastructure and landscaping; d) managing water in a sustainable manner through considering the complete water cycle; and e) considered design, construction and maintenance to minimise impacts on the natural water cycle. 	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Letter DPIE to SIMTA, 19/05/20 Stormwater System Design Drawings were amended and included in Appendix A in the SDDR (Rev. A 7/4/2021)	Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation was approved by the Department on 19/05/20. It is consistent with the objectives and principles set out in the NSW Office of Water's Guidelines for Controlled Activities and includes the information required under this condition. Stormwater System Design Drawings (Rev. A 7/4/2021)	Compliant
B10	The Applicant must submit revised drawings and supporting documentation to the Planning Secretary for approval, in accordance with the design principles and design criteria listed in Conditions B11 to B22 .	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Letter DPIE to SIMTA, 19/05/20 Stormwater System Design Drawings (Rev. A dated 7/4/2021) Letter of approval from DPE dated 3/6/2021 (addendum to stormwater Design Development Report SDDR)	Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation was approved by the Department on 19/05/20. Stormwater System Design Drawings (Rev. A 7/4/2021), this was approved by DPE on the 6 June 2021.	Compliant
Piped Stormwater Drainage and Overland Flow Paths				
B11	The stormwater system must be designed to: <ul style="list-style-type: none"> a) convey flows up to and including the 10% AEP event within the formal piped drainage system, with flows from the 10% AEP to the 1% AEP event conveyed in controlled overland flow paths; and b) provide adequate overland flow paths in the event of stormwater system blockages and flows in excess of the 1% ARI rainfall event. 	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 3.3). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
On-site Detention				
B12	On-site detention (OSD) must attenuate peak flows from the development such that both the: <ul style="list-style-type: none"> a) 1 in 1 year ARI event post development peak discharge rate is equivalent to the pre-development (un-developed catchment) 1 in 1 year ARI event; and b) 1 in 100 year ARI event post development peak discharge rate is equivalent to the pre-development (un-developed catchment) 1 in 100 year ARI event. 	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 4). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	Compliant
B13	OSD basins must: <ul style="list-style-type: none"> a) be visually unobtrusive and sit within the final landform and landscaping; b) ensure public safety by incorporation of 'safer by design' principles; and c) have all sides with a maximum batter slope of 1V:4H, except at the OSD outlets. 	P Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (drawing sets PIWW-COS-CV-DWG-0431 to 0435, and PIWWCOS-CV-DWG-0436 to 0438). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	Compliant
Stormwater Quality				
B14	All stormwater quality elements are to be modelled in MUSIC as per the NSW MUSIC Modelling Guide.	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 5). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	Compliant
B15	The stormwater quality infrastructure must comprise rainwater tanks, gross pollutant traps and biofiltration/ bioretention systems designed to meet the following criteria compared to a base case if there were no treatment systems in place: <ul style="list-style-type: none"> a) reduce the average annual load of total nitrogen by 45%; b) reduce the average annual load of total phosphorus by 65%; and c) reduce the average annual load of total suspended solids by 85%. 	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 5.5). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	Compliant
B16	All stormwater quality elements must be installed upstream of OSD basins, unless it can be demonstrated to the satisfaction of the Secretary that biofiltration/ bioretention systems within the OSD basins: <ul style="list-style-type: none"> a) will not suffer damage from design flows; b) can be maintained to achieve the water quality criteria; and c) will have adequate solar access ensuring that all bioretention systems are exposed to sunlight at midday on the winter solstice. This assessment is to include surrounding features of OSD basins, including but not limited to actual building heights and full mature height and size of proposed trees, as per the landscape plans. 	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 6, drawing set PIWW-COS-CV-DWG0433 to 0438, Appendix H). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	Compliant
B17	The area of biofiltration/ bioretention systems is to be at least 1% of the catchment draining to the system, to ensure there is no short-circuiting of the system.	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 5, drawing set PIWW-COS-CV-DWG-0433 to 0438). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B18	Bioretention systems which are greater than 1,000 m ² in area, are to be divided into cells with no individual cell greater than 1,000 m ² .	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 5, drawing set PIWW-COS-CV-DWG0433 to 0438). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	Compliant
B19	All filter media used in stormwater treatment measures must: a) be loamy sand with an appropriately high permeability under compaction and must be free of rubbish, deleterious material, toxicants, declared plants and local weeds, and must not be hydrophobic; b) have a hydraulic conductivity = 100-300 mm/hr, as measured using the ASTM F1815-06 method; c) have an organic matter content less than 5% (w/w); and d) be provided adequate solar access, considering the design and orientation of OSD basins.	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (drawing set PIWW-COS-CV-DWG-0453, Appendix H). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	Compliant
Stormwater Outlet Structures				
B20	Discharge of stormwater from the development must not cause scour/ erosion of the banks or bed, or pollution of the Georges River or Anzac Creek. <i>Note: Pollution of waters as defined under section 120 of the POEO Act.</i>	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 3.6 and drawing set PIWW-COS-CV-DWG-0455). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	Compliant
B21	Outlet structures for the discharge of site stormwater drainage to the Georges River, Anzac Creek, external drainage or natural drainage lines must be constructed of natural materials to minimise erosion, facilitate natural geomorphic processes and include vegetation as necessary (gabion baskets and gabion mattresses are not acceptable).	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 3.6 and drawing set PIWW-COS-CV-DWG-0455). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	Compliant
B22	Outlet structures must ensure habitat connectivity and wildlife movement is maintained along the Georges River riparian corridor.	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Section 3.6 and drawing set PIWW-COS-CV-DWG-0455). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	Compliant
Stormwater System Design Drawings				
B23	The Revised Stormwater System Design Drawings and supporting information to be submitted under Condition B4 must include the details specified in Conditions B24 to B28 .	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Appendix A for engineering design drawings). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.	Compliant
B24	Drawings must show: a) all information on a drainage catchment plans and a schedule of stormwater drainage elements (pipe lines and structures). Drainage drawing documentation is to be in accordance with the requirements detailed in Liverpool Council's Development Design Specification "D5 – Stormwater drainage design" clauses D5.22 and D5.24;	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Appendix A for engineering design drawings and drawing sets PIWW-COS-CV-DWG-0461 & 0465, PIWW-COS-CV-DWG-0481 & 0483, PIWW-COS-CV-DWG-0441 to 0443 and Appendix F). The Independent Peer	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	<ul style="list-style-type: none"> b) location and width of controlled overland flow paths; c) maximum design flow levels to AHD; d) maintenance access to each on OSD basin; and e) the integration with MPE Stage 1 and MPE Stage 2 stormwater infrastructure including: <ul style="list-style-type: none"> i. stormwater infrastructure on the MPW site that is intended to convey (pipes or overland flow paths) or treat or detain stormwater from MPE Stage 1 and MPE Stage 2, and/ or ii. drawings demonstrating that stormwater detention and treatment infrastructure has been provided for and approved under MPE Stage 1 and MPE Stage 2 for western draining MPE catchments. 	<p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	<p>Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.</p>	
B25	<p>All stormwater quality elements are to be detailed in the drawings including:</p> <ul style="list-style-type: none"> a) general arrangement plans at 1:500 and detailed plans as required at 1:200, showing system layout with key features including pipe arrangement with pipe sizes, diversion structure, high flow bypass, pre-treatment system, inlets, outlets, underdrainage, and maintenance vehicular access. The plans must show how the bioretention system will achieve separate cells of a maximum area of 1000 m2 with flow splitting; b) long and cross sections showing key features and levels including liner (base level of bioretention system), submerged zone level, drainage layer, transition layer, filter surface level, extended detention level, bund/ embankment level, and level of detention storage; c) pipe long sections, including invert levels, pipe sizes; d) details of key structures including diversion, pre-treatment system (make/ model), inlets, outlets; e) landscape plan including plant species; f) specification of filter media; and g) shadow diagrams, including surrounding features of OSD basins, actual building heights and full size of proposed trees, as per the landscape plans. 	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	<p>Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (drawing sets PIWW-COS-CV-DWG-0401 through 0499, Appendix I, Appendix H). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.</p>	Compliant
B26	<p>Stormwater outlet drawings must show:</p> <ul style="list-style-type: none"> a) material type, size, thickness, with accompanying hydraulic calculations demonstrating the achievement of relevant stability thresholds; b) design arrangement including longitudinal sections, cross sections and typical arrangements; c) typical arrangements including details of any liners, keying into bed/ banks and filter material; and d) the tie in with the receiving water normal water level and/ or seasonal low flow levels. 	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p>	<p>Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (drawing sets PIWW-COS-CV-DWG-0481 through 0486). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.</p>	Compliant
Stormwater System Design Supporting Documentation				
B27	<p>As part of the supporting documentation required under Condition B4, the Applicant must document the sequence of construction, including interim drainage solutions, for:</p> <ul style="list-style-type: none"> a) the drainage line from MPE to the Georges River; b) the northern portion of MPW, including infilling, OSD basins, transition of sedimentation basins to OSD basins; and c) the southern portion of MPW, including infilling, OSD basins, transition of sedimentation basins to OSD basins. 	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p> <p>Letter DPIE to SIMTA, 19/05/20</p> <p>Construction Soil and Water Management Plan (SWMP) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev 10 (and Rev 12)</p> <p>Letter DPIE to SIMTA, 01/04/20</p>	<p>Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (drawing sets PIWW-COS-CV-DWG-0200 to 0250). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20.</p> <p>Interim solutions for stormwater management are detailed in the SWMP, which was approved by the Department on 01/04/20</p>	Compliant
B28	<p>As part of the supporting documentation required under Condition B4, outlet structure investigations and design inputs must be submitted to the Planning Secretary, including:</p> <ul style="list-style-type: none"> a) subsurface/ geotechnical assessment identifying underlying foundation conditions; b) hydraulic modelling; 	<p>Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C</p> <p>Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20</p>	<p>Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Appendix K). The Independent Peer Review report includes a review of each of the requirements and</p>	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	c) hydraulic calculations for stormwater outlet structures demonstrating achievement of relevant stability thresholds; and d) design specifications including schedule of drainage elements (e.g. rock sizes, and structures).	Letter DPIE to SIMTA, 19/05/20 Construction Soil and Water Management Plan (SWMP) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev 10 (and Rev 12) Letter DPIE to SIMTA, 01/04/20	endorses the SDDR. The SDDR was approved by the Department on 19/05/20. Interim solutions for stormwater management are detailed in the SWMP, which was approved by the Department on 01/04/20. Refer response to CoC B29 and B30.	
Construction Erosion and Sediment Control				
B29	Prior to commencement of construction, the Applicant must prepare a Soil and Water Management Plan (SWMP) in accordance with the requirements of <i>Managing Urban Stormwater - Soils and Construction Volume 1 (Landcom 2004)</i> and submit it to the Planning Secretary for approval. The SWMP must be certified by a Certified Professional in Erosion and Sediment Control (CPESC) that it is fit for purpose, addresses the constraints posed by site conditions and complies with statutory requirements. The CPESC must have demonstrated experience in the identification, management and mitigation of erosion and sedimentation in dispersive and non-cohesive soils and be approved by the Planning Secretary.	Construction Soil and Water Management Plan (SWMP) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev 10 (and Rev 12) Letter DPIE to SIMTA, 01/04/20	Construction Soil and Water Management Plan (SWMP) prepared in accordance with the Blue Book. The SWMP was reviewed and endorsed by Mr Carl Vincent of ErSed, being a certified CPESC and approved by DPIE (refer DPIE Letter DOC19/1037798 dated 2/12/2019). The Department approved the SWMP on 01/04/20	Compliant
B30	The SWMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1 , the SWMP must include, but not be limited to: <ul style="list-style-type: none"> a) erosion and sediment control hazard assessment that includes: <ul style="list-style-type: none"> i. monthly rainfall erosivity, ii. (flooding liability, iii. topography, iv. physical and chemical properties of in-situ and imported soil, v. sensitivity of the receiving environment; b) management strategies to address the identified erosion and sediment control hazard that consider: <ul style="list-style-type: none"> i. statutory and environmental management requirements including: <ul style="list-style-type: none"> - minimising the extent and duration of land disturbance, - controlling water movement through and from site, - locating sediment basins in areas not subject to local stormwater flooding, - minimising soil erosion, - maximising sediment retention on site, - prompt and progressive stabilisation of disturbed areas, ii. maintenance of drainage, erosion and sediment control measures, iii. monitoring and adjusting drainage, erosion and sediment control measures to achieve necessary performance standards, iv. planning for predicted rainfall and winds events and shut down periods; c) a schedule of construction activities for the development, installation and removal of control measures and temporary and permanent stabilisation works, d) Erosion and Sediment Control Plans, including: <ul style="list-style-type: none"> i. existing and proposed contours and drainage path, ii. all access points and facilities associated with the development, iii. limits of disturbance including protected areas and features, iv. extent of earthworks, v. areas of cut and fill, vi. location of all drainage, erosion and sediment control measures including numbering for identification, and vii. surface water monitoring locations; 	Construction Soil and Water Management Plan (SWMP) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe Letter DPE to SIMTA, 01/04/20 CSWMP Rev.18 dated 30/11/2021 approved by DPE 18/3/3022. Letter from DPE to Aspect dated 18/3/2022 approved CSWMP Rev.18	Construction Soil and Water Management Plan (SWMP) prepared to address the requirements of this condition: <ul style="list-style-type: none"> a) Table 3.4, Sections 2.3-2.6, 2.8, 3.5, 6.1, Appendices A, D, G b) Sections 2.8, 3.4-3.6, 4, 5, 5.8, 6, 8, Appendices A, B c) Sections 4 and 5 d) Appendix A e) Sections 5, 6 and 8, Appendix A f) Section 5.8 The SWMP was reviewed and endorsed by Mr Carl Vincent of ErSed, being a certified CPESC and approved by DPIE (refer DPIE Letter DOC19/1037798 dated 2/12/2019). The Department approved the SWMP on 01/04/20 CSWMP Rev.18 dated 30/11/2021 approved by DPE 18/3/3022.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	e) specific operating procedures such as dewatering and the treatment of water and sediment collected in basins; and f) details on methods of temporary and permanent slope stabilisation to adjacent lands (including the riparian corridor).			
B31	Erosion and Sediment Control Plans must be updated as construction progresses and site conditions change.	Primary ESCP, Rev 9 – 6/2/2023 from Georgiou RCC – Stg 1 ESCP 7/3/2023 - Rev C8. OSD Basin Volume and Capacity Plan dated 21/11/2022; Stg 2 - ESCP 10/1/2022 – Phase 2 Rev 1.1. BMD - ESCP 15/2/2023 and Moorebank ESCP, MADR MAUW MAAI, 10/2/2023 Martinus – ESCP dated 28/06/2022 (Rev. A) RCC - ESCP 7/3/2023 - Rev C8 for Stage 1 and ESCP 10/1/2022 – Phase 2 Rev 1.1. for Stage 2 CPESC Inspection Reports from Apr to Dec 2022 and Jan to Feb 2023	Progressive erosion and sediment control plans are updated regularly by the Environment Manager and reviewed by the CPESC. Presented CPESC inspection reports from April to December 2022 and for January and February 2023.	Compliant
B32	The CPESC must undertake monthly inspections during construction, report on implementation of the SWMP and recommend any improvements to the SWMP and site control measures. The CPESC's report must be provided to the Planning Secretary monthly for the duration of construction or another time period as agreed by the Planning Secretary.	CPESC Inspection Reports from Apr to Dec 2022 and Jan to Feb 2023 DPE post approval portal lodgement for CPESC inspection reports for Jan and Feb 2023 DPE post approval portal lodgement record for April 2022 CPESC Monthly Inspection Report 20/6/2022 (late submission)	The CPESC reports show that inspections are occurring monthly and recommendations on improvement are being made. These are being submitted monthly. Non-compliance: CPESC report for April 2022 was submitted to the Department on the 20 June 2022 (2.5 months after the inspection was carried out). A breach notice on condition B32 was issued from the Department on the 24 August 2022 regarding late submission of CPESC report for April 2022. It was noted that monthly CPESC Reports from December 2022 to February 2023 were submitted on time.	Non-Compliant
B33	All temporary construction stage erosion and sediment control infrastructure that is intended to be converted to permanent stormwater quality or on-site detention infrastructure must be constructed in accordance with the revised stormwater design drawings approved by the Planning Secretary under Condition B4 .	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	No temporary works to be converted to permanent works have occurred. OSD 5 and 6 were constructed as permanent stormwater on site detention, so this condition is not triggered.	Not Triggered
B34	Conversion of construction stage erosion and sediment control infrastructure into permanent stormwater quality or on-site detention infrastructure must only occur once the civil works (roads and drainage) have been completed for the associated site sub-catchment.	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	No temp works to be converted to permanent works have occurred. OSD 5 and 6 were constructed as permanent stormwater on site detention, so this condition is not triggered.	Not Triggered
B35	Where construction of sediment basins and stormwater outlet works (including clearing, scour protection/ erosion control) are to be undertaken outside the site on Crown land (being the banks and bed of the Georges River), design those works must be prepared with the input of an aquatic ecologist, and evidence of DPI (Crown Lands) approval is to be provided to the Planning Secretary prior to commencement of construction. Details of finished works are to be submitted to DPI (Crown Lands) for information.	Interview with auditees 15/03/2023 Letter Cumberland Ecology to SIMTA, 18/10/19 (Moorebank Precinct West Stage 2: Aquatic Ecology input on Sediment Basin and Stormwater Outlet Designs)	Stormwater outlet works (including clearing, scour protection/ erosion control) are being constructed outside the site on Crown land (being the banks and bed of the Georges River). Evidence provided shows that the aquatic ecologist provided input into the design and that Crown Lands issued a licence to construct the works on its land. This information was provided to the Department in July 2021.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Stormwater Infrastructure Operation and Maintenance Plan				
B36	<p>Prior to commencement of operation, the Applicant must prepare a Stormwater Infrastructure Operation and Maintenance Plan to manage the operation and maintenance of stormwater infrastructure on-site and off-site, to the satisfaction of the Planning Secretary. The plan must form part of the OEMP required under Condition C5 and must be implemented for the life of the assets and must include provision for:</p> <ul style="list-style-type: none"> a) the management and maintenance of the assets, including evidence that a maintenance contract is in place with a reputable and experienced maintenance contractor; b) quarterly inspections, and inspections after major rainfall events including scour/ bank protection structures; c) schedule for routine checking (at least quarterly), cleaning and servicing of all water quality devices/ systems in accordance with the manufacturer's and/ or designer's recommendations; d) maintenance of records of all maintenance activities undertaken; e) preparing quarterly maintenance reports, detailing the results of quarterly inspections, inspections after major rainfall events, and maintenance activities; f) recording results of water quality monitoring required under Condition B38; g) investigation, management and mitigation of water quality target exceedances; h) requiring annual independent auditing; and i) procedures for submission of the quarterly maintenance reports and annual independent audit reports to the Planning Secretary, including the results of inspections, management and maintenance actions and water quality monitoring. 	Site inspection 10/3/2023	The project is in construction.	Not Triggered
B37	<p>In addition to the requirements for independent environmental audits under Conditions C16 to C18, the annual audit of the stormwater quality system must be undertaken by a suitably qualified professional with demonstrable experience in WSUD. The audit is to verify the condition of the treatment system(s), verify and document that the system(s) is working as intended, verify the system(s) has been cleaned adequately, verify there is no excessive build-up of material in the system(s) and identify any issues with the treatment system(s) which require rectification for the system(s) to adequately perform its intended function.</p>	Site inspection 10/3/2023	The project is in construction.	Not Triggered
Stormwater Quality Monitoring				
B38	<p>Prior to commencement of operation, the Applicant must prepare a Stormwater Quality Monitoring Program in consultation with Council and the EPA. The program must form part of the OEMP required under Condition C5, be implemented for the life of the development and include the following:</p> <ul style="list-style-type: none"> a) base line water quality data; b) monitoring parameters; c) water quality assessment criteria; d) receiving water quality monitoring sites in Anzac Creek and upstream and downstream of the site in the Georges River; e) monitoring of water quality at sediment basin/ on-site detention/ bioretention basin outlet channels and piped outlets discharging to the Georges River; f) frequency of sampling, including wet weather sampling; g) method of sampling and analysis; h) assess water quality and quantity performance for construction discharges and ongoing stormwater discharges from the development to ensure protection of the desired ecological values of Anzac Creek; and i) include sampling locations and the frequency of sampling including wet weather sampling. 	Site inspection 10/3/2023	The project is in construction	Not Triggered
Acid Sulfate Soils Management				
B39	<p>An Acid Sulfate Soils Management Plan must be developed consistent with the Acid Sulfate Soils Manual and must:</p> <ul style="list-style-type: none"> a) deal with the unexpected discovery of actual or potential acid sulfate soils; and b) include procedures for the investigation, handling, treatment and management of such soils and water seepage. 	<p>Acid Sulfate Soil Management Plan (ASSMP) Moorebank Precinct West Site, 400 Moorebank Avenue, Moorebank NSW, EP Risk, v.5 30/01/20</p> <p>Letter DPIE to SIMTA, 21/02/20</p>	<p>The ASSMP was prepared to address these requirements (Sections 7, 7.2 – 7.12) and was approved by the Department.</p> <p>The requirements of CoC C1 were addressed in Sections 2, 4, 5, 7, 8, 9 of the ASSMP.</p>	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Land Disturbance, Earthworks and Importation of Fill				
B40	<p>The Applicant must:</p> <ul style="list-style-type: none"> a) keep accurate records of the source, volume and type of fill imported to, and material removed from, the site; and b) make these records available to the Department or EPA upon request. 	<p>Moorebank Precinct West Import Fill Protocol, CARAS - Weight Bridge tracking program (from 18/8/2022 to 11/02/2023)</p> <p>BMD Material Tracking Register up to 25/01/2023</p> <p>M6 Stage 1 Tunnel Spoil RRO Compliance Report 24/10/2022, 25/10/2022, 02/03/2022 from Ade Consulting Group</p> <p>Waste Classification reports from Ade Consulting Group for the following:</p> <ul style="list-style-type: none"> - Sydney Olympic Park Construction Site, Sydney Metro West; Central Tunnelling Package – Station Box dated 5/10/2022 - Burwood North Station, Station Box and South-eastern Shaft Sydney Metro West; Central Tunnelling Package 10/11/2022 <p>Waste Classification reports from BBN Consulting for 10 Monash Rd, Gladesville, NSW dated 31/10/2022</p> <p>VENM Assessment Report for 280-298 Railway Parade, Carlton, NMSW from TRINITAS Group dated 9/12/2022</p> <p>VENM Classification letter for Wallacia Quarry from Hi-Quality Quarry dated 2/12/2022</p> <p>VENM Soil / Waste Classification from Geo-Logic Solutions dated 23/9/2022 for 40-42a Park Road, Auburn</p> <p>Waste Classification Certificate from eiaustralia:</p> <ul style="list-style-type: none"> - Lot 4, 158-164 Hawkesbury Rd, Westmead, 20/10/2022 - 5 Uhrig Road, Lidcombe, 19/01/2022 - 89-93 Railway Parade, Mortdale, 09/08/2022 - 723 – 729 Princess Highway, Blakehurst, 29/11/2022 <p>VENM Report from Aargus for:</p> <ul style="list-style-type: none"> - 1262-1270 Canterbury Rd, Roseland dated 17/10/2022 - Site 901-923 Canterbury Road, Lakemba 26/08/2022 <p>ENM Material Characterisation Assessment for Nominated Stockpiled Material at 2 Cambridge Avenue Glenfield, 27/01/2023 and 2/2/2023 from Geotest Services</p>	<p>The weighbridge showed that records of source, volume and type of fill imported to site was being recorded. These were supported by the material classification reports. Refer response to CoC A7.</p> <p>Exported material has been accurately recorded.</p> <p>The records are available for the Department and EPA if required.</p> <p>The Contractors presented evidence for recording the waste material, as follows:</p> <ul style="list-style-type: none"> - Georgiou: Waste Register (Recycling and general Waste) current to Feb 2023. EPA License No. 20885 – located at Aussie Skips Recycling Strathfield South. - BMD: Waste Register up to date 9/3/2023 and Material Tracking Register up to 25/01/2023. - Martinus: Austip Recycling Report for Feb 2023 - RCC: Stg 1- Waste register and waste reports from Orange Bins for Jan and Feb 2023. Stg 2 – Recycling report Feb 2023 from Garbage Guts Skip Bins. 	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<p>Waste Classification Report (VENM) for 117-119 Waratah Street, Kirrawee from Assured Safety Consultants dated 22/11/2022</p> <p>Waste Classification for Edmondson Park from Environmental Services, 1/9/2022</p> <p>Site inspection 10/3/2023 and Interview with auditees 15/03/2023</p> <p>Georgiou: Waste Register (Recycling and general Waste) current to Feb 2023. EPA License No. 20885 – located at Aussie Skips Recycling Strathfield South.</p> <p>BMD: Waste Register up to date 9/3/2023.</p> <p>Martinus: Austip Recycling Report for Feb 2023</p> <p>RCC: Stg 1 - Waste register and waste reports from Orange Bins for Jan and Feb 2023. Stg 2 – Recycling report Feb 2023 from Garbage Guts Skip Bins.</p>		
B41	<p>Land disturbance and land filling activities must be undertaken:</p> <p>a) in a phased manner, impacting a maximum contiguous area of 65 hectares at any one time; and</p> <p>b) with no disturbance (including vegetation clearing) of another area (other than the construction of erosion and sediment control measures and associated drainage for the separation of clean and dirty water) until:</p> <ol style="list-style-type: none"> i. a C-factor of 0.05 has been achieved on the previous phase, and ii. at least 75% of the permanent stabilisation works have been implemented for the previous phase, and iii. at least 95% all of the permanent stabilisation works on any other previously disturbed area have been implemented. <p>Note: For the purposes of this condition, permanent stabilisation works include established grass cover and for the southern fill area where future warehousing is proposed, must be in accordance with Condition B65.</p>	<p>CPESC Inspection Reports from Apr to Dec 2022 and Jan to Feb 2023</p> <p>DPE post approval portal lodgement for CPESC inspection reports for Jan and Feb 2023</p> <p>DPE post approval portal lodgement record for April 2022 CPESC Monthly Inspection Report 20/6/2022 (late submission)</p> <p>Georgiou: Primary ESCP, Rev 9 – 6/2/2023</p> <p>RCC: Stg 1 - ESCP 7/3/2023 - Rev C8. Stg 2 - ESCP 10/1/2022 – Phase 2 Rev 1.1.</p> <p>Martinus: Soil, erosion and sediment controls inspection on the 6/3/2023</p> <p>BMD: Moorebank ESCP, MADR MAUW MAAI, 10/2/2023 and Material Tracking Register up to 25/01/2023</p> <p>Email review of ESCP from BMD on the 15/2/2023</p>	<p>Progressive erosion and sediment control plans are updated regularly by the Environment Manager. They identify the continuous areas of exposure, disturbed area, C factor, soil loss, etc. Sighted ESCP for Georgiou, BMD and RCC.</p> <p>The progressive erosion and sediment control plant shows compliance with part a) and b) i). Permanent stabilisation works are not within the audit period.</p> <p>Erosion and sediment control plans are reviewed by the CPESC. Sighted email sent for review of ESCP from BMD on the 15/2/2023.</p> <p>BMD: Material Tracking Register up to 25/01/2023</p> <p>Presented CPESC inspection reports from April to December 2022 and for January and February 2023.</p>	Compliant
B42	Stockpiling of imported fill is not permitted for longer than 6 months before placement.	<p>Site inspection 10/3/2023</p> <p>Material Import Tonnages.xls, current to Feb 2023 from CARAS Weight Bridge tracking program (from 18/8/2022 to 11/02/2023).</p> <p>CARAS LPWPIW, MAUW & INTS: Independent Verification of Imported Fill, Progress Report for week ending 12/2/2023</p>	<p>Based on the inspections conducted under SSD 10431 audit and the inspection for the SSD 7709 audit, it appears as though whilst stockpile locations are relatively static, material imported under SSD 7709 is being progressively stockpiled and consumed.</p> <p>BMD nor Georgiou have done any offsite disposal.</p>	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		BMD Material Tracking Register up to 25/01/2023		
B43	<p>Stockpiles must:</p> <ul style="list-style-type: none"> a) not exceed 10 m in height; b) be benched over 4 m in height; c) have maximum of 1V:3H slopes or a steeper slope where certified by a suitably qualified geotechnical specialist; and d) be stabilised if not worked on for more than 10 days. 	<p>MPW S2 Environmental Representative Site Inspection Report from Pitt & Sherry:</p> <ul style="list-style-type: none"> - 28/04/2022 - 08/06/2022 - 04/08/2022 - 27/10/2022 - 08/12/2022 <p>MPWS2 SSD 7709 – ER Monthly Reports from Pitt & Sherry for: from April 2022 to Feb 2023 as follows:</p> <ul style="list-style-type: none"> - April 2022, submitted 9/5/22 - May 2022, submitted 10/6/22 - June 2022, submitted 12/7/22 - July 2022, submitted 5/8/22 - August 2022, submitted 8/9/22 - September 2022, submitted 14/10/22 - October 2022, submitted 11/11/22 - November 2022, submitted 5/12/22 - December 2022, submitted 6/1/23 - January 2023, submitted 22/2/23 - February 2023, submitted 7/3/23 <p>CPESC Inspection Reports from Apr to Dec 2022 and Jan to Feb 2023</p> <p>Georgiou: Primary ESCP, Rev 9 – 6/2/2023</p> <p>RCC: Stg 1 - ESCP 7/3/2023 - Rev C8. Stg 2 - ESCP 10/1/2022 – Phase 2 Rev 1.1.</p> <p>BMD: Moorebank ESCP, MADR MAUW MAAI, 10/2/2023</p> <p>Site inspection 10/03/2023</p>	<p>Stockpiles appear to be stabilised, benched and adequately battered. Stockpile management is incorporated into the contractor forms and processes and subject to ER and CPESC inspections.</p>	Compliant
B44	Placed fill must be stabilised if construction does not commence within 10 days.	<p>Georgiou: Primary ESCP, Rev 9 – 6/2/2023</p> <p>RCC: Stg 1 - ESCP 7/3/2023 - Rev C8. Stg 2 - ESCP 10/1/2022 – Phase 2 Rev 1.1.</p> <p>BMD: Moorebank ESCP, MADR MAUW MAAI, 10/2/2023</p> <p>CPESC Inspection Reports from Apr to Dec 2022 and Jan to Feb 2023</p>	<p>Placed fill is stabilised when not being actively worked on. This was sighted during the site inspections and is evidenced through the stabilisation factor calculations on the progressive erosion and sediment control plans. Stabilisation is also subject to ER and CPESC inspections.</p>	Compliant
B45	The design of fill batters must ensure stability, mitigate visual impacts, provide for maintenance activities and demonstrate that there are no impacts on adjacent lands, including biodiversity offset areas and the riparian corridor.	<p>Revised Development Layout Drawings (PIWW-RCG-AR-DWG) https://simta.com.au/mpw/</p> <p>Letter DPIE to SIMTA, 29/05/20</p>	<p>The batters around stormwater infrastructure are designed to meet the specifications in CoC B2 which (by extension) meet these requirements. The works are still under construction and yet to be trimmed.</p>	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Site inspection 10/03/2023		
Air Quality				
Dust Minimisation				
B46	The Applicant must ensure dust emissions generated by the development do not cause exceedances of the following criteria at private property not associated with the development: <ul style="list-style-type: none"> c) 2 g/m²/month maximum increase in deposited dust level; and d) 4 g/m²/month maximum deposited dust level. 	Dust deposition results from ALS Environmental, for: <ul style="list-style-type: none"> - April 2022, dated 16/5/22 - May 2022, dated 6/6/22 - June 2022, dated 15/7/22 - July 2022, dated 5/8/22 - August 2022, dated 8/9/22 - September 2022, dated 10/10/22 - October 2022, dated 7/11/22 - November 2022, dated 6/12/22 - December 2022, dated 13/1/23 CCC Dust Monitoring Results Discussion (MPW) presentation (including graphs up to April 2022)	The sighted dust deposition results from April to December 2022 are satisfactory. <p>Note: It was noted that in only 2 occasions the following results were recorded:</p> <ul style="list-style-type: none"> - DDG-02 (4/10/22-01/11/22) (5.9g/m²/month) for October 2022. - DDG-07 (4/10/22 – 30/11/22) (78.1g/m²/month) for November 2022. In this particular case, the issue was that the equipment was moved next to another machine, and therefore the reading was compromised. Monitoring is conducted on the boundary of the MPW site. Whether this has resulted in an exceedance at the nearest private property cannot be verified. <p>A Dust Monitoring Results Discussion (MPW) presentation (including graphs up to April 2022) was presented to the CCC.</p>	Compliant
Prevention of Odours				
B47	The Applicant must ensure the development does not cause or permit the emission of any odour, which may be offensive odour (as defined in the POEO Act) outside of the premises (as defined in the POEO Act).	Site inspection 10/03/2023 Complaints register current to 19/01/2023	During the site inspection no odour was observed. No complaints in relation to these matters were recorded during the audit period.	Compliant
Urban Heat Island Mitigation (UHIM)				
B48	The Development must be designed and operated to meet Urban Heat Island Mitigation principles and to achieve a 4°C degree decrease in temperature compared to neighbouring industrial developments by including measures such as: <ul style="list-style-type: none"> a) WSUD elements such as wetlands; b) shade tree planting; c) vegetation ground cover; d) use of 'cool' building and pavement materials (i.e. those with high reflectivity in the infrared spectrum); and e) green roofs. 	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	Urban Heat Island Mitigation is included in Section 2 of the UDDR. It specifies the relevant control measures. The UDDR was approved by the Department 12/08/2020. Revised UDDR Rev. 6 – dated March 2021 approved 11/11/2021.	Compliant
Ecologically Sustainable Development				
B49	The Development must be designed and operated to meet ESD principles and include measures such as the following: <ul style="list-style-type: none"> a) passive solar design; b) use of energy efficient plant and equipment; c) use of renewable energy sources; d) cross-ventilation e) selection of materials with lower energy manufacturing requirements; f) use of locally sourced materials to reduce impacts associate with transport; g) rainwater capture and reuse; 	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	ESD principles are included in Section 2 of the UDDR. It specifies the relevant control measures. The UDDR was approved by the Department 12/08/20	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	<ul style="list-style-type: none"> h) water efficient fixtures and fittings; and i) waste minimisation and recycling. 			
B50	The Development must register for a 'design' and 'as built' rating under the Infrastructure Council of Australia (ISCA) rating tool for development infrastructure.	ISCA website	The ISCA website demonstrates registration.	Compliant
B51	The Development must be designed and operated to meet minimum 4 star Green Star certification by the Green Building Council of Australia for warehouse design, construction and operation.	Interview with auditees 15/03/2023	Design and construction are ongoing.	Not Triggered
Urban Design and Landscaping				
Urban Design Development Report, Revised Landscape Design Drawings and Revised Architectural Drawings				
B52	<p>Prior to commencement of relevant permanent built surface works and/ or landscaping, an Urban Design Development Report, Revised Landscape Design Drawings and Revised Architectural Drawings including plans, sections and details and supporting documentation must be submitted to the Planning Secretary for approval.</p> <p><i>Note: For the purposes of this condition, earthworks including placement of fill are not considered permanent built surface works.</i></p>	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p> <p>Site inspection 10/3/2023</p>	The UDDR was prepared to address the requirements of CoC B48, B49, B53, B54, B55, B56, B59 – B74. It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21. Construction of permanent built surface works or landscaping has yet to commence.	Compliant
B53	The Urban Design Development Report must be developed in consultation with the Government Architect NSW (GANSW) and provide detailed objectives for design and operation of the development and define place specific urban design principles incorporating those outlined in Conditions B48, B49 and B57 . Details of the consultation are to be submitted as part of the Urban Design Development Report .	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	The UDDR was prepared to address the requirements of this condition (Appendix 4.6). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B54	<p>The revised landscape and architectural drawings and design details must be at a suitable scale (minimum plan view scale of 1:1000 at A1 with sections and details at a minimum scale of 1:200 at A1) to demonstrate:</p> <ul style="list-style-type: none"> a) how the objectives and principles developed in the Urban Design Development Report required under Condition B53 have been incorporated into the design; b) the revised warehouse layout in accordance with Condition B2; and c) compliance with the criteria specified in Conditions B59 to B74. 	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	The UDDR was prepared to address the requirements of this condition (Appendix 4.2, 4.3 – Architectural/Landscape Drawing). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
Urban Design and Landscape Independent Peer Review				
B55	An independent peer review report must be submitted with the Urban Design Development Report and Revised Landscape Design Drawings and Revised Architectural Drawings and supporting documentation.	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revision 6, March 2021 and Appendix Rev 17, Reid Campbell.</p> <p>Urban Design and Landscape - Independent Peer Review Report, Matthew Pullinger Architect, 13/12/19</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	The UDDR included an independent review to address the requirements of this condition (UDDR Appendix 4.5). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B56	<p>The review must:</p> <ul style="list-style-type: none"> a) be undertaken by an expert(s) in urban design and landscaping (for example, a member of the State Design Review Panel); b) include an assessment of the Revised Landscape Design Drawings, Revised Architectural Drawings and supporting documentation against the objectives and urban design principles established in the Urban Design Development Report and all relevant conditions, stating whether the drawings demonstrate achievement of the objectives and urban design principles and that all relevant conditions of this consent have been satisfied; and 	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Urban Design and Landscape - Independent Peer Review Report, Matthew Pullinger Architect, 13/12/19</p>	The UDDR included an independent review to address the requirements of this condition (UDDR Appendix 4.5). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant

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	<p>c) include comments justifying conclusions reached in the assessment.</p> <p>Note: <i>The revised landscape drawings, architectural drawings and supporting documentation will not be accepted until they meet the objectives and design principles and all relevant conditions to the satisfaction of, with justification provided by, the peer reviewer.</i></p>	Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)		
Landscape Design				
B57	<p>The Revised Landscape Design Drawings must demonstrate a design that generally incorporates the principles outlined in <i>Better Placed, Greener Places</i> and the <i>Green Grid</i> documents by the NSW Government Architect and the <i>Western Sydney District Plan</i> (March 2018) by the Greater Sydney Commission, and:</p> <ul style="list-style-type: none"> a) provide for visitor and worker amenity; b) incorporate 'safer by design' principles; c) use locally indigenous species; d) be integrated with the stormwater system design set out in the Revised Stormwater Design Drawings required under Condition B4; and e) mitigate the visual impacts of buildings and infrastructure particularly when viewed from Casula. 	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	The UDDR was prepared to address the requirements of this condition (Appendix 4.3 – Landscape Drawings). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
Design Criteria				
B58	The Revised Landscape Design Drawings and Revised Architectural Drawings and associated elements must demonstrate a design that meets the design criteria and other requirements listed in Conditions B59 to B74 .	Refer to evidence under CoCs B59 to B74	Refer to findings under CoC B59 to B74	Compliant
Staff and Visitor Facilities				
B59	<p>Pedestrian and cycle paths must:</p> <ul style="list-style-type: none"> a) be provided through the site to provide connections to Moorebank Avenue, the rail terminal office and between warehouses and the freight village; and b) integrate with existing and planned footpaths or cycleways in the locality. 	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	The UDDR was prepared to address the requirements of this condition (Section 3.4 and drawing set PIWW-RCG-AR-DWG-0100-0101, 0110-0113, 0130). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B60	Paths must be integrated with landscaping and include meanders to allow for canopy tree clusters and a more varied walking/riding experience.	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-GNK-LN-DWG-101-102). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B61	The rail terminal office, freight village and each warehouse must include an outdoor meal break area with shade, seating, lighting and landscaping including shrubs and groundcover and canopy trees where reasonable. In addition, the freight village outdoor area(s) must include a water fountain(s) or other fresh drinking water provision.	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0100 and 0110-0113, PIWW-GNK-LN-DWG-106). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B62	<p>Secure bicycle parking and end-of-trip facilities must provide:</p> <ul style="list-style-type: none"> a) a minimum 1 staff bicycle parking per 10 staff (or 1 per 10 car spaces if staff numbers are undetermined); b) compliance with the minimum requirements of AS 2890.3:2015 Parking facilities - Bicycle parking for the layout, design and security of bicycle facilities, and be located in easy to access, well-lit areas that incorporate passive surveillance; and c) under cover bike storage, showers and change facilities at each warehouse sufficient to accommodate the needs of the forecast number of employees. 	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0100, PIWW-RCG-AR-DWG-0190). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
Landscaping				

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B63	The following minimum setbacks apply: a) 18 m from Moorebank Avenue with minimum soft landscaped width of 10 m, subject to any variation agreed to by the Planning Secretary at the site entrance for the purpose of facilitating the primary access driveway into the site; and b) 5 m setback from the western internal road to warehouse carparks. Note: See also Condition B2.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Section 3.3, drawing set PIWW-RCG-AR-DWG-0100, PIWW-RCG-AR-DWG-0191, PIWW-GNK-LN-DWG-100-102 and 106). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B64	Canopy tree planting must be provided around the perimeter of the site, including the southern fill area where future warehousing is proposed.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Appendix 4.3 – drawing set PIWW-GNK-LN-DWG-101, 102, 104,106-108). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B65	The southern fill area where future warehousing is proposed must be topsoiled and hydroseeded with native grasses.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Appendix 4.3–Landscape Drawings). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B66	Perimeter fill batters must be stabilised with vegetation.	Revised Development Layout Drawings (PIWW-RCG-AR-DWG) https://simta.com.au/mpw/ Letter DPIE to SIMTA, 29/05/20	The batters around stormwater infrastructure are designed to meet the specifications in CoC B2 which (by extension) meet these requirements. Construction is ongoing.	Compliant
B67	Landscaping within the warehouse area must include dense canopy tree planting, shrubs, sedges, herbs, ground covers and tufted native grasses primarily derived from OEH lists of Cumberland Plain Woodland. The canopy tree mix must include some or all of the following species: <i>Eucalyptus crebra</i> , <i>Eucalyptus moluccana</i> <i>Eucalyptus amplifolia</i> , <i>Eucalyptus bosistoana</i> , <i>Eucalyptus eugenoides</i> , <i>Eucalyptus tereticornis</i> , <i>Eucalyptus punctate</i> , <i>Eucalyptus baueriana</i> , <i>Corymbia 67aculate</i> , <i>Angophora floribunda</i> and <i>Angophora bakeri</i> .	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Appendix 4.3–Landscape Drawings). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B68	The following minimum landscaping requirements apply: a) 15% of the warehouse area landscaped at ground level, 10% of which must be soft landscaping, excluding the OSD basins unless they are accepted as contributing to soft landscaping in the peer review report required under Condition B55 ; b) 1 canopy tree per 30 m2 of landscaped area; and c) a 2.5 m wide landscaped bay every 6-8 car spaces to provide shade within carpark areas, or alternative carpark landscaping (such as linear planting of vegetation of a minimum width of 2 m between rows of carparking) accepted as providing adequate shade in the peer review report required under Condition B55 . Note: For the purposes of this condition, canopy trees are not required to be planted on or immediately adjacent to vehicle paths between the intermodal terminal and the eastern elevation of each warehouse.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Section 3.1, Appendix 4.3, drawing set PIWW-GNK-LN-DWG-200/PIWW-RCG-AR-DWG-100-101, PIWW-GNK-LN-DWG-100, 101, 102,104-108, 0110-0113). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
Noise Walls, Retaining Walls and Fencing				
B69	Perimeter and on-site detention and biofiltration/ bioretention basin fences higher than 1.2m must be transparent and dark in colour but not constructed of chain wire, to provide visual amenity.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Section 3.7) and will continue through detailed design. It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B70	Boundary fencing design must allow for fauna movement where required under Condition B152(b) .	Moorebank Logistics Park Moorebank Precinct West – Stage 2 Urban Design	The UDDR was prepared to address the requirements of CoC B48, B49, B53, B54, B55, B56, B59 – B74. It was	Compliant

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		<p>Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p> <p>Moorebank Precinct West Stage 2 Koala Management Plan (KMP), Cumberland Ecology, 12/03/2020</p> <p>Letter DPIE to SIMTA, 04/05/20</p> <p>Construction Flora and Fauna Management Plan (CFFMP) Moorebank Precinct West Stage 2, SIMTA, 2/12/2021)</p> <p>Letter DPIE to SIMTA, 23/3/20</p>	<p>originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.</p> <p>A KMP was prepared to address the management and movement of koala's post construction. The KMP was approved by the Department on 04/05/2020.</p> <p>The CFFMP was prepared to manage impacts on fauna during construction and was approved by the Department on 23/3/20</p>	
B71	Screen fencing and planting must be provided around waste bins or other outside storage areas.	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0110-13). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B72	Screen planting must be provided on both sides of noise walls.	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-GNK-LN-DWG-101, 102, 104, 106-108). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B73	Retaining wall materials and colours must be of a natural appearance and incorporate landscaping.	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	The UDDR was prepared to address the requirements of this condition (Section 3.7) and will continue through detailed design. It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B74	Noise barriers must minimise visual and amenity impacts and be designed in accordance with the <i>Noise wall design guideline – Design guideline to improve the appearance of noise walls in NSW</i> (RMS, March 2016).	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0100-0113 + 0130, PIWW-GNK-LN-DWG-101, 102, 104, 106-108). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
Urban Design and Landscaping Supporting Information				
B75	<p>The following must be included on, or provided with the Revised Landscape Design Drawings required under Condition B52:</p> <ul style="list-style-type: none"> a) irrigation systems; b) planting schedule including tree and shrub species, expected mature height, planting densities and pot sizes; c) soil specification and depth for landscaped areas in relation to pot sizes and species to ensure the viability of shrubs and trees; d) landscaping around the southern and northern boundaries of the site; and e) noise wall, retaining wall and fencing graphics and material details. 	<p>Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell.</p> <p>Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)</p>	The UDDR was prepared to address the requirements of this condition (Section 3.7, drawing set PIWW-GNK-LN-DWG-001, PIWW-GNK-LN-DWG-101-102, PIWW-GNK-LN-DWG-400). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Lighting				
B76	Operational lighting must: <ul style="list-style-type: none"> a) comply with the latest version of <i>AS 4282-1997 – Control of the obtrusive effects of outdoor lighting</i> (Standards Australia, 1997); and b) be designed to reduce light spill and be mounted, screened and directed in such a manner that it does not create a nuisance and minimises visual impacts to surrounding properties, the public road network, the Georges River riparian corridor and the Boot Land. 	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Section 3.8). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
Signage				
B77	The following signage is not permitted: <ul style="list-style-type: none"> a) general advertising or moving or flashing signs; b) west facing illuminated building signage visible from residences; and c) internally illuminated signs that are visible from residences; 	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0190). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B78	Signage must not occupy more than 10% of any façade or wall of a building.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0190). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
Building Floor Levels				
B79	Building floor levels must be a minimum of 150 mm above the maximum design stormwater overland flow path levels. Building floor levels and associated maximum design stormwater overland flow path levels to AHD must be indicated on the architectural cross-section drawings.	Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Peer Review Letter and Certificate, AT&L Consulting Engineers, 23/01/20 Letter DPIE to SIMTA, 19/05/20 SDDR – Appendix A updated 7/4/2021	Stormwater Development Design Report (SDDR) prepared to address the requirements of this condition (Sections 3.1, 3.2.2, 3.4, drawing set PIWW-COS-CV-DWG-0461 & 0465). The Independent Peer Review report includes a review of each of the requirements and endorses the SDDR. The SDDR was approved by the Department on 19/05/20. The building floor levels are aligned to the levels in the SDDR. Revised drawings for SDDR – Appendix A was updated 7/4/2021 and approved 3/6/2021.	Compliant
Rainwater Re-use				
B80	A rainwater tank(s) must be included on each warehouse, the freight village and rail terminal buildings.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR) SDDR – Appendix A updated 7/4/2021	The UDDR was prepared to address the requirements of this condition (drawing set PIWW-RCG-AR-DWG-0110-0113). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21. SDDR – Appendix A updated 7/4/2021	Compliant
B81	Rainwater must be used for irrigation, all internal non-potable uses, the container washdown facility and be considered for cooling towers; heating, ventilation, and air conditioning; and ground source heat exchange.	Moorebank Logistics Park Moorebank Precinct West - Stage 2 Urban Design Development Report Revisions 5 and 6, Reid Campbell. Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Section 3.9, drawing set PIWW-GNK-LN-DWG-400). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21. SDDR – Appendix A updated 7/4/2021.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		SDDR – Appendix A updated 7/4/2021		
Landscape Maintenance				
B82	<p>Prior to commencement of operation, the Applicant must prepare a Landscape Vegetation Management Plan (LVMP) and submit it to the Planning Secretary for approval. The LVMP must be prepared by a suitably qualified and experienced person(s) and form part of the OEMP required under Condition C5. The LVMP must include:</p> <ul style="list-style-type: none"> a) an inspection and maintenance schedule and require replacement plantings for shrubs and trees which fail at an equivalent pot size or larger; and b) graffiti management. 	Site inspection 10/3/2023	The project is in construction	Not Triggered
Pest and Weed Control				
B83	<p>The Applicant must:</p> <ul style="list-style-type: none"> a) implement measures to manage pests, vermin and declared noxious weeds on the site; and b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area. <p>Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Biosecurity Act 2015.</p>	<p>MPW S2 Environmental Representative Site Inspection Report from Pitt & Sherry:</p> <ul style="list-style-type: none"> - 28/04/2022 - 08/06/2022 - 04/08/2022 - 27/10/2022 - 08/12/2022 <p>MPWS2 SSD 7709 – ER Monthly Reports from Pitt & Sherry for: from April 2022 to Feb 2023 as follows:</p> <ul style="list-style-type: none"> - April 2022, submitted 9/5/22 - May 2022, submitted 10/6/22 - June 2022, submitted 12/7/22 - July 2022, submitted 5/8/22 - August 2022, submitted 8/9/22 - September 2022, submitted 14/10/22 - October 2022, submitted 11/11/22 - November 2022, submitted 5/12/22 - December 2022, submitted 6/1/23 - January 2023, submitted 22/2/23 - February 2023, submitted 7/3/23 <p>Georgiou:</p> <p>Beakon weekly inspection register (online). Sighted records in the system for:</p> <ul style="list-style-type: none"> - Environmental inspection (weekly) 29/11/2022 DHI-ENV-2407, all observations have been closed 9/1/2023 - ERS_300 inspection 31/1/2023 - Post rainfall inspections: 19/1/2023 - Prior rain event: 18/10/2022, comments closed out 31/10/2022 <p>Martinus:</p> <p>Weekly site inspections are carried out, records kept in Procore system sighted for:</p>	<p>Weeds and pests form part of the inspection regimes on site and are reported by exception.</p> <p>Some weeds identified by the ER during the inspections have been treated accordingly. CFFMP has been implemented.</p>	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status												
		<ul style="list-style-type: none"> - MR-1134-004 8/8/2022 stockpile management, water management, boundaries, etc. - MR-EF-017 18/7/2022 (52mm rain event) pre-wet weather event inspection. - MR-WF-032 11/11/2022 pre-incident weather inspection, excavation works. <p>BMD:</p> <ul style="list-style-type: none"> - Daily inspection 21/4/2022 and 23/01/2023. - During wet weather event checklist 14/11/2022 (31.5mm over the weekend) post rain event. - Pre wet weather event checklist 4/10/2022 - Weekly inspection carried out 2/2/203 WHSE 658 <p>RCC: Hammertech inspection register (online) available. Records sighted:</p> <ul style="list-style-type: none"> - Stg1: Weekly inspection records Feb 2023; Post wet weather inspection reports 11/10/2022, 23/2/2023 - Stg2: 6/3/2023 weekly environmental inspection; 14/2/2023 dewatering; and Post wet weather inspection 10/10/2022 														
Traffic and Access																
B84	<p>The Applicant is to undertake the following road infrastructure upgrades, in accordance with the specified timing requirements as set out in Table 1.</p> <p>Table 1: Required Upgrades and Specified Timing Requirements</p> <table border="1" data-bbox="379 1430 1240 1671"> <thead> <tr> <th data-bbox="379 1430 572 1476">Upgrade</th> <th colspan="3" data-bbox="572 1430 1240 1461">Specified Timing Requirements</th> </tr> <tr> <td data-bbox="379 1476 572 1535"></td> <th data-bbox="572 1476 842 1535">Upgrade requirements</th> <th data-bbox="842 1476 1047 1535">Required timing for 100% design approval by RMS</th> <th data-bbox="1047 1476 1240 1535">Required timing for completion of upgrade</th> </tr> </thead> <tbody> <tr> <td data-bbox="379 1535 572 1671">Moorebank Avenue and Anzac Road intersection upgrades, road widening and road upgrade works, and associated civil works</td> <td data-bbox="572 1535 842 1671">Indicative layout plans (RIUW-ARC-CV-SKC-2003-P1 and RIUW-ARC-CV-SKC-1005-P2) included in Appendix 1, subject to design development and approval by RMS, and incorporating a bicycle/ pedestrian share path</td> <td data-bbox="842 1535 1047 1671">To be obtained within 12 months of the date of this consent, or prior to the issue of the first Occupation Certificate for warehousing, whichever is the sooner.</td> <td data-bbox="1047 1535 1240 1671">Prior to issue of an Occupation Certificate for warehousing in excess of 100,000 m² of gross floor area</td> </tr> </tbody> </table>	Upgrade	Specified Timing Requirements				Upgrade requirements	Required timing for 100% design approval by RMS	Required timing for completion of upgrade	Moorebank Avenue and Anzac Road intersection upgrades, road widening and road upgrade works, and associated civil works	Indicative layout plans (RIUW-ARC-CV-SKC-2003-P1 and RIUW-ARC-CV-SKC-1005-P2) included in Appendix 1 , subject to design development and approval by RMS, and incorporating a bicycle/ pedestrian share path	To be obtained within 12 months of the date of this consent, or prior to the issue of the first Occupation Certificate for warehousing, whichever is the sooner.	Prior to issue of an Occupation Certificate for warehousing in excess of 100,000 m ² of gross floor area	<p>Interview with auditees 15/03/2023</p> <p>Drawing number MAAI-NRP-CV-DWG-0050, TfNSW registration DS2021/000784 (MAAI Overall Plan)</p> <p>Drawings from Northrop MAAI-NRP-CV-DWG-0000 to -8108 were approved by TfNSW on 24/6/2022.</p> <p>Letter from TfNSW to LOGOS 1/7/2022 approval to commence construction of MAAI upgrade works commence 28/6/2022.</p>	<p>Presented MAAI precinct infrastructure works approved by TfNSW 24/06/2022.</p> <p>Letter from TfNSW to LOGOS 1/7/2022 approval to commence construction of MAAI upgrade works commence 28/6/2022.</p>	Compliant
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B85	<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. Prior to commencement of construction of permanent built surface works, a plan must be submitted to the Planning Secretary and RMS for approval, which shows that the proposed development complies with this requirement.</p>	<p>Construction Traffic and Access Management Plan Moorebank Precinct West Stage 2 and Moorebank Precinct West Stage 3, SIMTA, 14/09/21 (the CTAMP)</p> <p>Drawings from Northrop MAAI-NRP-CV-DWG-0000 to -8108 were approved by TfNSW on 24/6/2022.</p>	<p>Presented MAAI precinct infrastructure works approved by TfNSW 24/06/2022 (which includes the swept path analysis)</p> <p>Letter from TfNSW to LOGOS 1/7/2022 approval to commence construction of MAAI upgrade works commence 28/6/2022.</p>	Compliant												

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Letter from TfNSW to LOGOS 1/7/2022 approval to commence construction of MAAI upgrade works commence 28/6/2022.	Note: Manoeuvrability through the site is currently in discussion with the TfNSW.	
B86	The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements in relation to landscaping and/ or fencing, aisle widths, aisle lengths, and parking bay dimensions) must be in accordance with AS2890.1-2004 Parking facilities Off-street car parking, AS2890.6-2009 Parking facilities Off-street parking for people with disabilities and AS2890.2-2002 Parking facilities Off-street commercial vehicle facilities for heavy vehicle usage.	Moorebank Logistics Park Moorebank Precinct West – Stage 2 Urban Design Development Report Revisions 6, Reid Campbell 5/5/2021 Letter DPE to SIMTA, 11/11/21 (approval of updated UDDR)	The UDDR was prepared to address the requirements of this condition (Section 3.1). It was originally approved by the Department on 12/08/20 (refer Independent Audit No. 1). The revised UDDR was approved in November 21.	Compliant
B87	<u>The Applicant is to locate any drainage infrastructure to support the Stage 2 development entirely within the development site and not within the roadway, unless agreed by TfNSW and / or Liverpool City Council.</u> <u>The location of other existing and future utility and service infrastructure must be located outside the roadway being upgraded unless provision within the roadway is agreed by TfNSW and / or Liverpool City Council with relevant Roads Act 1993 approval.</u>	Interview with auditees 15/03/2023 Revised Development Layout Drawings (PIWW-RCG-AR-DWG) https://simta.com.au/mpw/ Letter DPIE to SIMTA, 29/05/20 Drawing number MAAI-NRP-CV-DWG-0050, TfNSW registration DS2021/000784 (MAAI Overall Plan) Drawings from Northrop MAAI-NRP-CV-DWG-0000 to -8108 were approved by TfNSW on 24/6/2022	The Department approved revised Development Layout Drawings under CoC B2 on 29/05/20. The CoC B2 plans demonstrate that these services are <i>within</i> the verge. This information is also within the CoC B84 design that is being assessed by TfNSW. This assessment is ongoing. There is no timing on this requirement on this requirement and design is not complete. Presented MAAI precinct infrastructure works approved by TfNSW 24/06/2022 (which includes the swept path analysis)	Not Triggered
B88	Road design must incorporate any structures for fauna movement between the Georges River riparian corridor and the Boot Land, either under or below the road that have been identified by the Management Plan as required under Condition B152 Note: See also Condition B2(i) and B152(d)	Interview with auditees 15/03/2023 Moorebank Precinct West Stage 2 Koala Management Plan (KMP), Cumberland Ecology, 12/03/2020 Letter DPIE to SIMTA, 04/05/20	The approved KMP (prepared under CoC B152) identifies only a north south movement of fauna (not east-west between the Georges River riparian corridor and the Boot Land as identified by this condition). At this stage the design of the roadways does not incorporate east-west movement of fauna between the Georges River riparian corridor and the Boot Land as required by this condition. Road design is ongoing.	Not Triggered
B89	Heavy vehicles used for haulage of imported fill or freight must not use Cambridge Avenue during construction and operation of the development.	Interview with auditees 15/03/2023 Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA 14/09/21 Driver's code of conduct (within the CTAMP) Complaints register current to 19/01/2023 Complaints register submission to DPE (various records) BMD- MAUW and MAAI VMP Rev 13 – 7/3/3023 Records for contractors sighted as follows: - Georgiou: Project induction, current to 18/11/2022 slide 11,12,13 and daily pre-starts. - Martinus: Site Specific Induction March 2023, VMP, people plant interactions	All movements for the purposes of fill are to and from M5. There is no need for movements from the south for import of fill. Freight movements have yet to commence. No complaints received regarding this requirement. Driver's code of conduct (within the CTAMP) updated as part of the RFMA. Georgiou, BMD, Marinus and RCC contractors provided evidence of project site inductions including traffic management, TMP, VMP, etc.	Compliant

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		cover in slide 35. VMPs presented 03/01/2023 Rev. 8.8 - BMD: MAUW and MAAI VMP Rev 13 – 7/3/3023. Induction slides 119, 120, 121. - RCC: <ul style="list-style-type: none"> o Stg 1 – TMP 9/3/3022, notice board and induction, weekly toolbox talk will include any changes. o Stg 2 - Induction slides 20 (include the TMP Rev. 14, 8/3/23) and 22 and 12. Induction to be updated 		
B90	Access to the ABB site must be maintained throughout construction and operation of the development.	Site inspection 10/3/2023 Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 14/09/21 Complaints register current to 19/01/2023 BMD - MAUW and MAAI VMP Rev 13 – 7/3/3023	Bapaume Ave was closed during the audit and temporary access to ABB is now through the Western Ring Road and Chapman Avenue. No complaints received regarding this requirement.	Compliant
B91	The Applicant must: <ol style="list-style-type: none"> a) consult with the owners/occupiers of the ABB site throughout construction and operation; b) provide details of construction works adjacent to the ABB site prior those works occurring; and c) ensure the proposal does not adversely impact overland flow paths or existing stormwater infrastructure on the ABB site. 	Dilapidation Report, MPW S2 Bapaume Road, Craigmar Consulting, 03/09/19 Site inspection 10/03/2023 BMD - MAUW and MAAI VMP Rev 13 – 7/3/3023 Stormwater Development Design Report (SDDR) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev C Consultation record ABB and LOGOS: <ul style="list-style-type: none"> - Bapaume Rd works email dated 30/1/2023 from LOGOS to ABB re. disruption to traffic - Email from ABB to LOGOS on the 2/3/2023 informed all stakeholders of the detour Complaints register current to 19/01/2023 TSA Stakeholder Engagement Register – ABB Flooding Event Oct 2022 (dated 30/3/2023)	The consultation records indicate ongoing consultation and updates on construction works. Sighted consultation emails with ABB for the closure of Bapaume Rd. Note that works in lot 100 are under SSD 5066. Two complaints were received from ABB as follows: <ul style="list-style-type: none"> - Complaint made on the 4/7/2022 due to heavy rain 300 over 2 weeks. Actions: clearing of the site and associated repairs. - Complaint made on the 10/10/2022 due to heavy rain events flooding to their site. Actions included – clean out was carried out and pumping out and repairs accordingly. Contractors to continue monitoring. - Presented TSA Stakeholder Engagement Register – ABB Flooding Event Oct 2022 (dated 30/3/2023), including complaint details, date, time, summary, team response, comments, ID, stakeholders and users. Also, photos included. 	Compliant
B92	The Applicant must ensure that the construction and operation of the proposed development will not prevent the public use of Moorebank Avenue to a standard commensurate to its use prior to the development. Note: Temporary closures or part closures and changes to the operation of Moorebank Avenue may occur for limited periods during construction as detailed in the Construction Traffic and Access Management Plan.	Site inspection 10/3/2023	Public access on Moorebank Avenue remains consistent with that prior to the project.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B93	<p>The development is to be designed and operated so that:</p> <ul style="list-style-type: none"> a) all vehicles are wholly contained on site before being required to stop; b) adequate parking for heavy vehicles is provided on-site to accommodate any potential delays in schedule time; c) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site; d) all loading and unloading of materials is carried out on-site; and e) site roads accommodate buses, bus infrastructure and cyclist use for employees. 	<p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA 14/09/21</p> <p>Site inspection 10/03/2023</p> <p>Complaints register current to 19/01/2023</p> <p>Drawings from Northrop MAAI-NRP-CV-DWG-0000 to -8108 were approved by TfNSW on 24/6/2022</p> <p>Turnpath Assessment for Concept Design of MPW Roads and Associated Warehouse Hardstand Areas, Moorebank Logistics Park, Transport and Urban Planning Pty Ltd, September 2019, Ref 19104r</p> <p>Records for contractors sighted as follows:</p> <ul style="list-style-type: none"> - Georgiou: Project induction, current to 18/11/2022 slide 11,12,13 and daily pre-starts. - Martinus: Site Specific Induction March 2023, VMP, people plant interactions cover in slide 35. VMPs presented 03/01/2023 Rev. 8.8 - BMD: MAUW and MAAI VMP Rev 13 – 7/3/3023. Induction slides 119, 120, 121. - RCC: <ul style="list-style-type: none"> o Stg 1 - TMP 9/3/3022, notice board and induction, weekly toolbox talk will include any changes. o Stg 2 - Induction slides 20 (include the TMP Rev. 14, 8/3/23) and 22 and 12. Induction to be updated 	<p>Construction is ongoing. The construction site is such that all these activities are contained to the site. No complaints received regarding this requirement.</p> <p>Design has been approved by TfNSW on 24/6/2022 – sighted Drawings from Northrop MAAI-NRP-CV-DWG-0000 to -8108.</p> <p>Georgiou, BMD, Marinus and RCC contractors provided evidence of project site inductions including traffic management, TMP, VMP, etc.</p> <p>Not at operational phase.</p>	Compliant
RMS supplementary requirements				
B94	<p>The civil design and Traffic Control Signal (TCS) plans for the upgrades identified in Table 1 of Condition B84 must be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner.</p> <p>The designs must be in accordance with Austroads Guide to Road Design in association with relevant RMS supplements (available on www.rms.nsw.gov.au). The certified copies of the TCS design and civil design plans must be submitted to RMS for approval before the issue of a Construction Certificate and commencement of road works.</p> <p>RMS fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.</p>	<p>Site inspection 10/03/2023</p> <p>Interview with auditees 15/03/2023</p> <p>Construction Certificate 190359/03 (for roads drainage electrical), dated 10/03/21</p> <p>Construction Certificate 190359/02 (stormwater and civils), dated 08/02/21</p> <p>Traffic Control Signal Plan from DM Roads approved by TfNSW on 4/8/2022</p> <p>TfNSW confirmed receipt required fees 30/6/2022.</p> <p>Drawings from Northrop MAAI-NRP-CV-DWG -0000 to -8108 were approved by TfNSW on 24/6/2022</p>	<p>Refer response to CoC B84.</p> <p>Design development drawings from Northrop MAAI-NRP-CV-DWG -0000 to -8108 have been approved by TfNSW.</p> <p>Traffic Control Signal from DM Roads approved by TfNSW on 4/8/2022</p> <p>TfNSW confirmed receipt required fees 30/6/2022.</p> <p>Northrop Consulting Engineers Pty Ltd are an authorised and qualified practitioner – sighted in TfNSW website under 'Find a TAO'.</p>	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B95	All documentation required under Condition B94 must be sent to development.sydney@rms.nsw.gov.au.	Site inspection 10/3/2023 and Interview with auditees 15/03/2023	Required document was provided to TfNSW on the 24/6/2022.	Compliant
B96	RMS fees for administration, plan checking, civil works inspections and project management must be paid by the applicant before the commencement of road upgrades identified in Table 1 of Condition B84 .	Site inspection 10/3/2023 and Interview with auditees 15/03/2023 TfNSW confirmed receipt required fees 30/6/2022. Letter from TfNSW to LOGOS 1/7/2022 approval to commence construction of MAAI upgrade works commence 28/6/2022.	Presented MAAI precinct infrastructure works approved by TfNSW 24/06/2022. Letter from TfNSW to LOGOS 1/7/2022 approval to commence construction of MAAI upgrade works commence 28/6/2022.	Compliant
B97	The applicant must enter into a Works Authorisation Deed (WAD) with RMS for the works identified in Table 1 of Condition B84 . The applicant must also dedicate as public road under the <i>Roads Act 1993</i> the parts of Lot 2 DP 1197707 (incorporating existing Moorebank Avenue) and any other land required to accommodate the road and intersection upgrade works (including associated pathways and services) identified in Table 1 of Condition B84 . The WAD must provide for the dedication of the required land as public road under the <i>Roads Act 1993</i> as a pre-condition to practical completion of the road and intersection upgrade works being achieved under the WAD. A Construction Certificate cannot be issued for any part of the road and intersection upgrade works unless a WAD has been entered into in compliance with this condition. The road and intersection works identified in Table 1 of Condition B84 cannot be opened for use by traffic unless all required land has been dedicated as public road in accordance with this condition.	Site inspection 10/3/2023 and Interview with auditees 15/03/2023 Letter from TfNSW dated 1/7/2022 with MAAI works approval to commence construction (WAD) Letter from TfNSW to LOGOS 1/7/2022 approval to commence construction of MAAI upgrade works commence 28/6/2022.	WAD sighted Letter from TfNSW to LOGOS 1/7/2022 approval to commence construction of MAAI upgrade works commence 28/6/2022.	Compliant
B98	The Applicant is required to dedicate land as public road for the maintenance of the Traffic Control Signals and associated infrastructure; further details will be included as part of the WAD process.	Interview with auditees 15/03/2023 Letter from TfNSW dated 1/7/2022 with MAAI works approval to commence construction (WAD)	The WAD was executed by TfNSW on the 16/6/2022	Not Triggered
B99	Prior to any installation of temporary portable traffic signals and other traffic management measures on Moorebank Avenue or Anzac Road, the Applicant must obtain the relevant approvals from RMS.	Interview with auditees 15/03/2023 Letter from TfNSW dated 1/7/2022 with MAAI works approval to commence construction (WAD) ROL	WAD sighted dated 1/7/2022 Road Occupancy Licenses (ROL): <ul style="list-style-type: none"> - License No. 1936434 works commencing 5/11/2022 - License No. 1882510 works commencing 1/8/2022 - License No. 1899486 works commencing 1/9/2022 	Compliant
B100	All works associated with signposting along Moorebank Avenue must be approved by RMS.	Interview with auditees 15/03/2023 Letter from TfNSW dated 1/7/2022 with MAAI works approval to commence construction (WAD)	Letter from TfNSW dated 1/7/2022 with MAAI works approval to commence construction (WAD). The design under B84 has been approved. Drawings sighted.	Compliant
B101	The works associated with traffic signals and road upgrade works are to be designed and delivered at no cost to TfNSW or RMS.	Interview with auditees 15/03/2023 Letter from TfNSW dated 1/7/2022 with MAAI works approval to commence construction (WAD)	The design under CoC B84 was approved. The WAD has been executed.	Compliant
B102	The Applicant must pay all costs incurred by Council and/ or RMS in relation to public road dedication of Commonwealth owned land.	Interview with auditees 15/03/2023	The design under CoC B84 was approved. The WAD was executed. Not aware of formal dedication as yet.	Not Triggered
B103	The Applicant is required to negotiate and execute an Interface and Access Deed with RMS and the M5 Operator (Interlink Roads Pty Ltd) prior to road construction works commencing, to address matters including interface between the parties, access provisions, compensation arrangements, and traffic management for the road upgrade works carried out on Lots 3 and 4 in Deposited Plan 1063765.	Interview with auditees 15/03/2023	Interface and Access Deed with TfNSW and M5 has not triggered yet.	Not Triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B104	<p>The Applicant is to ensure that the construction and operation of the proposed development will not prevent the ongoing use of Moorebank Avenue as a public road to a standard commensurate to its current use prior to the development. A staging plan should be submitted to RMS for approval, as part of the WAD package, to ensure adequate capacity is provided along Moorebank Avenue at all times, including a requirement to maintain two lanes open to traffic.</p> <p>The staging plan should provide details of how the road and intersection upgrade works tie into other road upgrades works approved under the MPE Stage1 and 2 SSD applications. Any temporary diversion works not located within the Moorebank Avenue roadway will require separate planning approval.</p>	<p>Interview with auditees 15/03/2023</p> <p>Letter from TfNSW dated 1/7/2022 with MAAI works approval to commence construction (WAD)</p>	<p>The design under CoC B84 was approved.</p> <p>The WAD has been executed. Presented Letter from TfNSW dated 1/7/2022 with MAAI works approval to commence construction (WAD).</p> <p>A Staging Plan is under preparation.</p>	Not Triggered
B105	There are to be no works undertaken by the Applicant within the RMS (M5 Motorway) land and no impact on RMS drainage infrastructure system or on adjoining Roads and Maritime assets, without the consent of the RMS and M5 Motorway Operator (Interlink).	Interview with auditees 15/03/2023	No works have been carried out on the RMS land so far.	Not Triggered
B106	<p>The Applicant is to liaise with and obtain relevant approvals from RMS in relation to any proposed drainage and excavation works, erection of new and/ or maintenance of existing fencing on the M5 Motorway boundary, erection of new noise attenuation infrastructure, and any other construction works that may impact the M5 Motorway corridor.</p> <p>Note: Contact is to be made to Matthew Messina, Commercial Manager Motorway Partnerships and Planning on 02 8588 4119</p>	Interview with auditees 15/03/2023	No works have been carried out on the RMS land or M5 Motorway boundary so far.	Not Triggered
B107	To ensure that Environment, Work Health and Safety laws are fully implemented within and near the M5 Motorway corridor, the Applicant's staff/ contractors must be inducted into the M5 Motorway operator's (Interlink) corridor and fill out a Motorway Access Permit for site activities on or immediately adjoining M5 Motorway land, if work has to be undertaken from the M5 Motorway side. The Applicant may be required to complete a commercial agreement or bank undertaking that sufficiently mitigates the M5 Operator's (Interlink) risk.	Interview with auditees 15/03/2023	No works have been carried out on the M5 Motorway boundary so far.	Not Triggered
B108	A Road Occupancy Licence is to be obtained from the Transport Management Centre for any works that may impact on traffic flows on Moorebank Avenue or the adjoining State Road network during construction activities.	<p>Interview with auditees 15/03/2023</p> <ul style="list-style-type: none"> - License No. 1936434 - License No. 1882510 - License No. 1899486 	<p>Road Occupancy Licenses (ROL) are for Moorebank Ave:</p> <ul style="list-style-type: none"> - License No. 1936434 works commencing 5/11/2022 - License No. 1882510 works commencing 1/8/2022 - License No. 1899486 works commencing 1/9/2022 	Compliant
B109	A construction zone will not be permitted on Moorebank Avenue without the express approval of RMS.	<p>Interview with auditees 15/03/2023</p> <ul style="list-style-type: none"> - License No. 1936434 - License No. 1882510 - License No. 1899486 <p>Letter from TfNSW dated 1/7/2022 with MAAI works approval (WAD)</p>	<p>Road Occupancy Licenses (ROL) are for Moorebank Ave:</p> <ul style="list-style-type: none"> - License No. 1936434 works commencing 5/11/2022 - License No. 1882510 works commencing 1/8/2022 - License No. 1899486 works commencing 1/9/2022 	Not Triggered
B110	Access is denied across the M5 Motorway corridor boundary and all buildings and structures are to be located wholly within the freehold property.	Interview with auditees 15/03/2023	No works have been carried out on the M5 Motorway boundary so far.	Not Triggered
B110A	<p>Until operational access to the site is provided (that is, as part of the Moorebank Avenue and Anzac Road intersection upgrades required under condition B84), the Applicant must ensure that the operational access point to the site is via the Chatham Avenue/Moorebank Avenue intersection, or any other alternative as agreed by Transport for NSW in writing.</p> <p>Note: Prior to the occupation of any warehouse on the site, the Applicant must undertake a pre-opening road safety audit of its interim operation site access, and incorporate the corrective actions outlined in that Road Safety Audit, under conditions B112A and B112B.</p>	Site inspection 10/3/2023	Chatham Road access was sighted.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Road Safety Audit				
B111	<p>Prior to commencement of any works, the Applicant must undertake a Road Safety Audit for heavy vehicle movements associated with the importation of fill, for construction vehicle swept paths in and out of the development site via the proposed construction access points along Moorebank Avenue, and for motorists and construction vehicle movements along Moorebank Avenue during the staged road upgrade works identified in Table 1.</p> <p>The Road Safety Audit must be prepared by an independent TfNSW accredited road safety auditor in accordance with the relevant Austroads guidelines to identify any safety issues. The Road Safety Audit must consider road safety issues for the proposed construction access arrangements and affected vehicle movements.</p>	Road Safety Audit, Arrb6c, 19/07/20	The Road Safety Audit identifies the requirements from this condition, being for heavy vehicle movements, vehicle swept paths and for motorists and construction vehicle movements. It was prepared by a suitably qualified person and considers road safety issues.	Compliant
B112	The Applicant must recommend corrective actions for the identified safety issues and propose appropriate traffic management measures outlined in the Road Safety Audit (i.e., temporary traffic signals and other traffic management measures) in consultation and with the approval of the relevant road authority. Details on the proposed traffic management measures must be submitted to the Planning Secretary, TfNSW and RMS.	<p>Site inspection 10/3/2023</p> <p>Road Safety Audit, Arrb6c, 19/07/20</p> <p>Email chain, SIMTA and DPIE 15/10/20</p>	The Road Safety Audit identified a finding in relation to light signal phasing for pedestrian movements at Chatham Ave. There were no actions in relation to heavy vehicle movements, vehicle swept paths and for motorists and construction vehicle movements. The Road Safety Audit was submitted to the Department. There is no evidence available to demonstrate that the Road Safety Audit (or the proposed traffic management measures) were submitted to TfNSW as there were no actions relevant to TfNSW.	Compliant
B112A	<p>Prior to occupation of any warehouse on the site, the Applicant must undertake a pre-opening Road Safety Audit for heavy vehicle movements associated with operation in and out of the development site via the operational access point to the site, and for motorists and construction vehicle movements along Moorebank Avenue.</p> <p>The Road Safety Audit must be prepared by an independent TfNSW accredited road safety auditor in accordance with the relevant Austroads guidelines and TfNSW's Guidelines for Road Safety Audit Practices to identify any safety issues. The Road Safety Audit must consider road safety issues for the proposed operational access arrangements and affected vehicle movements.</p> <p>Note: In accordance with condition B110A, the operational access point to the site is via the Chatham Avenue/Moorebank Avenue intersection, or any other alternative as agreed by Transport for NSW in writing.</p>	Site inspection 10/3/2023	Occupation has not commenced. The project is in construction.	Not Triggered
B112B	Prior to occupation of any warehouse on the site, the Applicant must incorporate the corrective actions outlined in the pre-opening Road Safety Audit required under condition B112A in consultation with and with the prior approval of the relevant road authority. Details on the proposed corrective actions must be submitted to the Planning Secretary and TfNSW.	Site inspection 10/3/2023	Occupation has not commenced. The project is in construction.	Not Triggered
B112C	The Road Safety Audit required by condition B112A is not required if the applicant has completed the Moorebank Avenue and Anzac Road intersection upgrades required under condition B84 prior to occupation of any warehouse on the site.	Site inspection 10/3/2023	Occupation has not commenced. The project is in construction. Refer also response to CoC B84.	Not Triggered
Construction Traffic and Access Management Plan				
B113	Prior to commencement of construction, the Applicant must prepare a Construction Traffic and Access Plan (CTAMP) and submit it to the Planning Secretary for approval. The CTAMP must be prepared by a suitably qualified and experienced person(s) in consultation with Council, and must be endorsed by TfNSW and RMS.	<p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 30/1/2020</p> <p>Letter DPIE to SIMTA, 23/04/20</p> <p>CTAMP updated on the 14/09/21 (Rev. M) approved by TfNSW on the 24/9/2021</p>	<p>The CTAMP was prepared in accordance with this condition (Section 1.4, Appendix B). Prepared by qualified consultant and consultation was undertaken.</p> <p>The Department approved the CTAMP on 23/04/20, which was prior to construction.</p>	Compliant
B114	<p>The CTAMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1, the CEMP must:</p> <ol style="list-style-type: none"> detail the measures that are to be implemented to ensure road safety and network efficiency during construction; include a Heavy Vehicle Route Plan detailing: <ol style="list-style-type: none"> origin of imported fill, destination of demolition material and spoil, 	<p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA 14/09/21</p> <p>Letter DPIE to SIMTA, 23/04/20</p> <p>CTAMP updated on the 14/09/21 (Rev. M) approved by TfNSW on the 24/9/2021</p>	<p>The CTAMP was prepared in accordance with CoC C1 and this condition:</p> <ol style="list-style-type: none"> Section 3.3 Section 3.2 Section 3.2 	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	<ul style="list-style-type: none"> iii. heavy vehicle routes to and from the site within the Campbelltown and Liverpool Local Government Areas (LGAs), including compliance with the conditions of this consent including Condition B89, and iv. management system for oversized vehicles; c) access and parking arrangements; and d) detail procedures for notifying residents and the community of any potential traffic disruptions. 		<ul style="list-style-type: none"> d) Section 3.4. <p>The Department approved the CTAMP on 23/04/20.</p>	
B115	Two lanes (one in each direction) of traffic on Moorebank Avenue must be available at all times during construction, unless otherwise approved by RMS.	<p>Site inspection 10/3/2023 and Interview with auditees 15/03/2023</p> <p>Complaints register current to 19/01/2023</p>	<p>Site inspection confirmed this. No issues observed.</p> <p>There have been no road closures (full) of Moorebank Ave under SSD 7709.</p> <p>No complaints received during the audit period regarding this requirement.</p>	Compliant
B116	All construction vehicles must be contained wholly within the site and vehicles must enter the site before stopping.	<p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 14/09/21</p> <p>Site inspection 10/03/2023</p> <p>Complaints register current to 19/01/2023</p>	All vehicles are able to enter the site prior to stopping. Chatham Avenue set up enables for this for LV and HV vehicles. BMD access is for light vehicles only. No issues observed. No complaints received during the audit period regarding this requirement.	Compliant
B117	All vehicles must enter and leave the site in a forward direction.	Site inspection 10/3/2023	All vehicles are able to enter and leave the site in a forward direction. Chatham Avenue set up enables for this for LV and HV vehicles. BMD access is for light vehicles only. No issues observed	Compliant
Operational Traffic and Access Management Plan				
B118	Prior to commencement of operation, the Applicant must prepare an Operational Traffic and Access Management Plan (OTAMP) and submit it to the Planning Secretary for approval. The OTAMP must be prepared by a suitably qualified and experienced person(s) in consultation with Council(s), TfNSW and RMS.	Site inspection 10/3/2023	The project is in construction	Not Triggered
B119	<p>The OTAMP must form part of the OEMP and, in addition to the general management plan requirements listed in Conditions C5 and C6, the OTAMP must:</p> <ul style="list-style-type: none"> a) detail numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation; b) detail access arrangements for the site to ensure road and site safety, and demonstrate there will be no queuing on the road network; c) detail measures to ensure turning areas and internal access roads are kept clear of any obstacles, including parked cars, at all times; and d) set out a framework and procedures for data collection required to prepare the Biannual Trip Origin and Destination Report required under Condition B120 including a main gate monitoring system (e.g. CCTV) to identify heavy vehicles turning right from the terminal site onto Moorebank Avenue, or turning left from Moorebank Avenue to the terminal site. 	Site inspection 10/3/2023	The project is in construction	Not Triggered
Biannual Trip Origin and Destination Report				
B120	<p>Each six months following commencement of operation, the Applicant must prepare a Biannual Trip Origin and Destination Report (in a format agreed with TfNSW and RMS) that advises:</p> <ul style="list-style-type: none"> a) the total number of actual and standard twenty foot equivalent shipping containers despatched and received during the period; b) the number of actual and standard twenty foot equivalent shipping containers transported to and from the site by rail during the period; c) actual hours of operation for the truck gate listing days and hours of operation; d) records of vehicle numbers accessing the site including a record of heavy vehicle entry by date and approximate time; e) direction of travel into and out of the site for light vehicle on a representative day; and 	Site inspection 10/3/2023	The project is in construction	Not Triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	<p>f) representative vehicle origins and destinations of all classes of vehicles and covering the intermodal terminal, the warehousing facility and any other uses such as the freight village.</p> <p>A copy of the report required under Condition B120 is to be submitted to the Planning Secretary, TfNSW and RMS within one month of its preparation.</p>			
B120A	<p>A Traffic Audit of the development must be undertaken within 90 days of each of the trigger events identified in B120B, by an independent qualified person(s) approved by the Planning Secretary prior to the commencement of the Traffic Audit. The Traffic Audit must include, but not necessarily be limited to:</p> <p>(a) verification of actual traffic movements against condition A15A;</p> <p>(b) assessment of the traffic performance of the project against the predictions made in EIS, RtS and consolidated assessment clarification responses;</p> <p>(c) consideration of the results of the traffic monitoring during a representative period nominated by the auditor;</p> <p>(d) review of compliance with the approved access routes and performance measures prescribed under this consent</p> <p>(e) consideration of any traffic-related issues raised by TfNSW and Council; and</p> <p>(f) findings and recommendations with respect to the traffic performance of the project and any additional measures that may be required to manage traffic associated with the project.</p> <p>Note: In accordance with condition B110A, the operational access point to the site is via the Chatham Avenue/Moorebank Avenue intersection, or any other alternative as agreed by Transport for NSW in writing.</p>	Site inspection 10/3/2023	The project is in construction	Not Triggered
B120B	<p>Traffic Audits under condition B120A are required to be undertaken within 90 days of the following trigger events:</p> <p>(a) the MPW Stage 2 daily heavy vehicle movements reaching 1,000 heavy vehicle movements for the first time,</p> <p>(b) annual container freight throughput on the MPW Stage 2 site reaching each of the following: 50,000 TEU, 250,000 TEU and 500,000 TEU,</p> <p>(c) as may be directed by the Planning Secretary from time-to time.</p>	Site inspection 10/3/2023	The project is in construction	Not Triggered
B120C	<p>Within 28 days of conducting the Traffic Audit referred to under condition B120A of this consent, the Applicant must provide the Planning Secretary with a copy of the Traffic Audit report. If the Traffic Audit report identifies non-compliance with condition A15A, or with traffic predictions, approved access routes, or performance measures, the Applicant must detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Planning Secretary.</p> <p>Notwithstanding the above, nothing permits the Applicant to exceed the traffic movements specified in condition A15A at any time and any non-compliance with condition A15A is a breach of this consent.</p>	Site inspection 10/3/2023	The project is in construction	Not Triggered
B120D	<p>Following consideration of the outcomes of the Traffic Audit and the Traffic Audit report referred to under conditions B120A and B120C of this consent, the Planning Secretary may require the Applicant to implement additional traffic mitigation, monitoring or management measures to address traffic impacts associated with the project. The Planning Secretary may require any or all of the measures identified in the Traffic Audit report, or other measures considered appropriate by the Planning Secretary (including additional local area traffic management measures or on-site traffic management controls) to be implemented. The Applicant must implement the measures required by the Planning Secretary within such period as the Planning Secretary may specify.</p>	Site inspection 10/3/2023	The project is in construction	Not Triggered
Workplace Travel				
B121	<p>Prior to the issue of any Occupation Certificate, the Applicant must prepare a specific Workplace Travel Plan and submit it to the Planning Secretary for information. The Workplace Travel Plan must be developed in consultation with TfNSW and outline facilities and measures to promote public transport usage, including:</p> <p>a) peak period and shift work responsive express buses to/ from the site and Liverpool Station via Moorebank Avenue and Newbridge Roads with frequency dependent on the development of the site;</p>	Site inspection 10/3/2023	The project is in construction	Not Triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status								
	b) peak period express buses to/ from the site and Holsworthy rail station via Anzac Road, Wattle Grove Drive and Heathcote Road with frequency dependent on the development of the site; and c) consideration of extension of the 901 bus service and new bus stop locations if required.											
B122	The Applicant must provide an annual report on employee numbers to the Department, TfNSW and RMS, commencing one year after commencement of operation of the IMT facility and for up to 5 years from occupation of the final warehouse building.	Site inspection 10/3/2023	The project is in construction	Not Triggered								
B123	The Applicant and each occupant/operator must implement the most recent version of the Workplace Travel Plan for the duration of the development.	Site inspection 10/3/2023	The project is in construction	Not Triggered								
Driver Code of Conduct												
B124	The Applicant must prepare and submit a Driver Code of Conduct to the Secretary which includes the following measures to minimise impacts: <ul style="list-style-type: none"> a) adherence to specified transport routes, including no heavy vehicle access to and from Cambridge Avenue; b) acceptable delivery hours; c) no extended periods of engine idling; d) avoiding queuing in or around the site; e) compliance with site speed limits; f) limiting the need for reversing on site; and g) consideration of the use of non-tonal movement alarms in place of reversing beepers or alternatives such as reversing cameras and proximity alarms, or a combination of these, where tonal alarms are not mandated by legislation. 	Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 14/09/21 (Rev. M) Letter DPIE to SIMTA, 23/04/20 CTAMP Appendix C	The Drivers Code of Conduct is within Appendix C of the CTAMP.	Compliant								
Noise and Vibration												
Construction Hours of Work												
B125	The Applicant must comply with the hours detailed in Table 2 . Table 2: Hours of Work <table border="1" data-bbox="379 1276 1240 1356"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Construction</td> <td>Monday – Friday</td> <td>7 am to 6 pm</td> </tr> <tr> <td>Saturday</td> <td>8 am to 1 pm</td> </tr> </tbody> </table>	Activity	Day	Time	Construction	Monday – Friday	7 am to 6 pm	Saturday	8 am to 1 pm	Construction Environmental Management Plan (CEMP) Moorebank Precinct West Stage 2, SIMTA, 2/12/2021 Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 17/12/2021 Georgiou Project induction, current to 18/11/2022 Georgiou Environmental Monitoring Register Rev.1 (current to 03/2023). OOHW Register, BMD (10 OOHW – from 1/3/2022 to 5/2/2023) SIMTA.com.au/category/current-works/ RCC Stage 1: OOHW – 7/2/2023 assessment Renzo Tonin and associates. RCC Stage 2: OOHW assessment for Concrete pour and slab finishing 27/1/2023 (5am – 9pm) Renzo Tonin	Project hours are within the project documentation and communicated to the workforce. OOHW are identified, appear justifiable and tracked. On 9 December 2022 the Department issued a warning letter for breach on Condition B125 (Helicopter operation works outside of standard working hours on the 12 November 2022 at Richard Crookes Construction (RCC) site). The work activities did not follow the OOHW protocol. The Department elected to not take further regulatory action in relation to the matter. Refer to condition B127 for more details. Presented - MIP environmental tracking register MASTER from Aspect. About 18 OOHW have been carried out from March 2022 to March 2023; majority low works impacts. Condition B125 was self-reported as a non-compliance from Logos to Department on the 20 February 2023 (sent via email) re. RCC conducting works outside of the approved construction hours and not following the OOHW protocol as per condition B172e. Response from the Department is yet to be received.	Non-Compliant
Activity	Day	Time										
Construction	Monday – Friday	7 am to 6 pm										
	Saturday	8 am to 1 pm										

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<p>Email from DPE to RCC on 9/12/2022 with warning letter re. breach on condition B125 - OOHW.</p> <p>Warning letter from DPE to RCC 9/12/2022 Ref. No. ENF-52129212</p> <p>Email from Aspect to DPE 20/2/2023 re. self-reporting of non-compliance on B125</p> <p>MIP environmental tracking register MASTER (current to 9/3/2023)</p>	<p>It was recommended that RCC retrain its workforce and introduce a hold point to approve any OOHW.</p>	
B126	<p>Except as permitted by an EPL, activities resulting in highly noise intensive works (including impulsive or tonal noise emissions) must only be undertaken:</p> <ul style="list-style-type: none"> a) between the hours of 8:00 am to 5:00 pm Monday to Friday; b) between the hours of 8:00 am to 1:00 pm Saturday; and c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block. <p>Note 1: For the purposes of this condition, 'continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work that is the subject of this condition.</p> <p>Note 2: Section 42(1)(e) of the EP&A Act requires that an EPL be substantially consistent with this approval. Out-of-hours works considered under Condition B127 must be justified and include an assessment of mitigation measures.</p>	<p>Site inspection 10/3/2023 and Interview with auditees 15/03/2023</p> <p>RCC Stage 1 CNVIS (Sep 2022 and Feb 2023) re. OOHW Concrete Pour provided.</p> <p>RCC Stage 1 CNVIS (May 2022) re. Helicopter Lift provided.</p> <p>RCC Stage CNVIS (August 2022) re. Fill importation provided.</p>	<p>It was noted that no high noise intensive works have been undertaken during the audit period and most of the project works were carried out during the construction hours. However, on the 12 November 2022 helicopter operation works were carried on Warehouse 6 outside of the standard working hours. The contractor RCC received a warning letter from the DPE on the 9 December 2022, refer to the non-compliances raised on conditions B125 and B127.</p> <p>Presented CNVIS records from RCC - Stage 1 for concrete pour, helicopter lift and fill importation.</p>	Compliant
B127	<p>Construction outside of the hours identified in Condition B125 may be undertaken in any of the following circumstances:</p> <ul style="list-style-type: none"> a) works that are inaudible at the nearest sensitive receivers; b) where a negotiated agreement has been arranged with affected receivers; c) works agreed to in writing by the Planning Secretary; d) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; e) works associated with: <ul style="list-style-type: none"> (i) the Moorebank Avenue/Anzac Road upgrade, the delivery of the rail link connection, and works required to be undertaken during rail corridor possession where they are undertaken in accordance with an Out-Of-Hours Work Protocol under Condition B135; or [Amended by SSD-7709-Mod-2] (ii) any other construction works on the site where they are undertaken Out-of-Hours must be in accordance with the approved Out-of-Hours Work Protocol (OOWP) required under condition B135. f) Where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm; or g) Where they are undertaken in accordance with an Out-Of-Hours-Work Protocol under Condition B135. 	<p>Construction Environmental Management Plan (CEMP) Moorebank Precinct West Stage 2, SIMTA, 2/12/2021</p> <p>Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 17/12/2021</p> <p>Georgiou Project induction, current to 18/11/2022</p> <p>Georgiou Environmental Monitoring Register Rev.1 (current to 03/2023).</p> <p>OOHW Register, BMD (10 OOHW – from 1/3/2022 to 5/2/2023)</p> <p>SIMTA.com.au/category/current-works/</p> <p>RCC Stage 1: OOHW – 7/2/2023 assessment Renzo Tonin and associates.</p> <p>RCC Stage 2: OOHW assessment for Concrete pour and slab finishing 27/1/2023 (5am – 9pm) Renzo Tonin</p> <p>MIP environmental tracking register MASTER (current to 9/3/2023)</p> <p>Email from DPE to RCC on 9/12/2022 with warning letter re. breach on condition B125 - OOHW.</p>	<p>Project hours are included in the project documentation and communicated to the workforce.</p> <p>Presented MIP environmental tracking register MASTER from Aspect. About 18 OOHW have been carried out from March 2022 to March 2023; majority low works impacts. OOHW are identified, appear justifiable and tracked.</p> <p>The following records were presented by the Contractors for the OOHW and notifications:</p> <p><u>Georgiou:</u></p> <p>Environmental Monitoring register Rev.1 (current to 03/2023). OOHW No.4 (24 operation WTPs) date commence– 20/1/2022 - ongoing. WTP noise monitoring results 20/01/22. OOHW Acoustic Assessment Report 2/3/2023 (In audible).</p> <p><u>Martinus:</u></p> <p>OOHW for the rail from the truck to the floor. All works have been inaudible.</p> <p><u>BMD:</u></p> <p>Presented MIP environmental tracking register MASTER (current to 9/03/2023). OOHW Register, BMD (10 OOHW – from 1/3/2022 to 5/2/2023). Website notification: SIMTA.com.au/category/current-works/ Notification</p>	Non-Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status												
		<p>Warning letter from DPE to RCC 9/12/2022 Ref. No. ENF-52129212</p> <p>Email from Aspect to DPE 20/2/2023 re. self-reporting of non-compliance on B125</p>	<p>information on the 2/3/2023 and 22/2/2023, 22/12/2022 (night works).</p> <p><u>RCC:</u></p> <p>For Stage 2: Renzo Tonin assessment for OOHW Concrete pour and slab finishing 27/1/2023 (5am – 9pm). Notification March -June 2023. Not published yet.</p> <p>For Stage 1: Notification for OOHW 8/2/2023, work to start 15/2 to first week 3/2023 for concrete pouring (high impact activity). OOHW – 7/2/2023 assessment Renzo Tonin and associates. SMITA Website notification.</p> <p>Helicopter operation works were carried out outside of standard working hours on the 12 November 2022 at Richard Crookes Construction (RCC) site – Warehouse 6. The work activities did not follow the OOHW protocol.</p> <p>Aspect provided additional information to the Department from the Operation’s log follows:</p> <ol style="list-style-type: none"> 1. Helicopter arrived on site at 07:50. 2. Lifting activities began at 08:40 and stopped 13:25. 3. The helicopter departed site at 14:05 <p>The Department determined that no formal enforcement action was warranted in the circumstances.</p> <p>Recommended that RCC retrain its workforce and introduce a hold point to approve any OOHW.</p>													
B128	Blasting is not permitted on the site.	Site inspection 10/03/2023	There is no need for blasting on the project.	Not Triggered												
Noise Wall																
B129	Prior to the commencement of operation of any part of the development, the Applicant must construct a 5 m high noise wall along the entire length of the western internal road as shown in Appendix 1 (as detailed in the EIS and RtS Noise and Vibration Impact Assessment modelling).	Site inspection 10/03/2023	During the site inspection the noise wall has been constructed but is finished yet.	Not Triggered												
Hours of Operation																
B130	<p>The permitted hours of operation are detailed in Table 3.</p> <p>Table 3: Hours of Operation</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td>Intermodal terminal facility including rail link connection</td> <td>Monday – Sunday</td> <td>24 hours</td> </tr> <tr> <td>Warehouses</td> <td>Monday – Sunday</td> <td>24 hours</td> </tr> <tr> <td>Freight village</td> <td>Monday – Sunday</td> <td>7 am to 6 pm</td> </tr> </tbody> </table>	Activity	Day	Time	Intermodal terminal facility including rail link connection	Monday – Sunday	24 hours	Warehouses	Monday – Sunday	24 hours	Freight village	Monday – Sunday	7 am to 6 pm	Site inspection 10/03/2023	The project is currently in the construction phase.	Not Triggered
Activity	Day	Time														
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Warehouses	Monday – Sunday	24 hours														
Freight village	Monday – Sunday	7 am to 6 pm														
Intermodal Terminal Operational Noise Limits																
B131	The Applicant must ensure that the noise generated by the development must not exceed the noise limits in Table 4 which are generated by the overall precinct operations (defined as all activities approved for MPW and MPE) does not exceed the noise limits in Table 4.	Site inspection 10/03/2023	The project is currently in the construction phase.	Not Triggered												

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status																									
	<p>Table 4: Operational Noise Limits dB(A)</p> <table border="1" data-bbox="379 449 1181 785"> <thead> <tr> <th>Location (residential receivers)</th> <th>Day L_{Aeq}, 15 minute</th> <th>Evening L_{Aeq}, 15 minute</th> <th>Night L_{Aeq}, 15 minute</th> <th>Night L_{A1}, 1 minute</th> </tr> </thead> <tbody> <tr> <td>Casula</td> <td>39 dB 46 dB</td> <td>35 dB 44 dB</td> <td>35 dB 39 dB</td> <td>52 dB</td> </tr> <tr> <td>Glenfield</td> <td>35 dB 49 dB</td> <td>35 dB 46 dB</td> <td>35 dB 42 dB</td> <td>52 dB</td> </tr> <tr> <td>Wattle Grove</td> <td>36 dB 44 dB</td> <td>35 dB 42 dB</td> <td>35 dB 42 dB</td> <td>52 dB</td> </tr> <tr> <td>Wattle Grove North</td> <td>41 dB</td> <td>41 dB</td> <td>41 dB</td> <td>52 dB</td> </tr> </tbody> </table> <p><i>Notes: To determine compliance with the 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 m of a dwelling where the dwelling is more than 30 m from the boundary. Where it can be demonstrated that direct measurement of noise from the project is impractical, the EPA may accept alternative means of determining compliance (see Chapter 7 of the NPI). The modification factors in Fact Sheet C of NPI must also be applied to the measured noise levels where applicable.</i></p> <p><i>To determine compliance with the LA1,1 minute noise limits, noise from the project is to be measured at 1 m from the dwelling façade. Where it can be demonstrated that direct measurement of noise from the project is impractical, the EPA may accept alternative means of determining compliance (see Chapter 7 of the NPI).</i></p> <p>The noise emission limits identified above apply under meteorological conditions of:</p> <ol style="list-style-type: none"> wind speeds of up to 3 m/s at 10 m above ground level; or 'F' atmospheric stability class. 	Location (residential receivers)	Day L _{Aeq} , 15 minute	Evening L _{Aeq} , 15 minute	Night L _{Aeq} , 15 minute	Night L _{A1} , 1 minute	Casula	39 dB 46 dB	35 dB 44 dB	35 dB 39 dB	52 dB	Glenfield	35 dB 49 dB	35 dB 46 dB	35 dB 42 dB	52 dB	Wattle Grove	36 dB 44 dB	35 dB 42 dB	35 dB 42 dB	52 dB	Wattle Grove North	41 dB	41 dB	41 dB	52 dB			
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Operation of Rail Terminal, Locomotives and Wagons																													
B132	<p>Terminal and rail port shuttle operations must comply with the following:</p> <ol style="list-style-type: none"> best practice plant for the intermodal terminal facility, including electronic automated container handling equipment or equipment with equivalent sound power levels; locomotives using the development must meet the air emissions standards and noise requirements as specified in the Moorebank Precinct East – Stage 1 Project: Best Practice Review (SSD 12_6766), prepared by Arcadis dated 19 September 2017); wagons using the development must incorporate available best practice noise technologies, such as “one-piece” freight bogies or three-piece freight bogies fitted with cross-bracing or steering arms; and permanently coupled ‘multi-pack’ steering wagons using Electronically Controlled Pneumatic (ECP) braking with a wire based distributed power system (or better practice technology); automatic rail lubrication equipment must be used in accordance with ASA Standard T HR TR 00111 ST Rail Lubrication and top of rail friction modifiers, where required; and the rail cross sectional profile must be maintained in accordance with ETN-01-02 Rail Grinding Manual for Plain Track to ensure the correct wheel/ rail contact position and hence to encourage proper rolling stock steering. 	Site inspection 10/03/2023	The project is currently in the construction phase.	Not Triggered																									
B133	<p>For all terminal and rail operations, a monitoring and performance management regime is to be established in accordance with the conditions of this consent, including but not limited to the requirements of conditions B140-B143, with the objective of ensuring there is no deterioration in noise performance and continual improvement in rail noise outcomes from rail operations throughout the life of the development.</p>	Site inspection 10/03/2023	The project is currently in the construction phase.	Not Triggered																									
Construction Noise and Vibration Management Plan																													

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B134	Prior to commencement of construction, the Applicant must prepare a Construction Noise and Vibration Management Plan (CNVMP) and submit it to the Planning Secretary for approval. The CNVMP must be consistent with the guidelines contained in the ICNG (DECC, 2009).	Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 17/12/2021 Letter DPIE to SIMTA, 07/02/20	The CNVMP was prepared to address this condition. The CNVMP was approved by the Department prior to construction.	Compliant
B135	The CNVMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1 , the CNVMP must include: <ul style="list-style-type: none"> a) identification of the work areas, site compounds and internal access routes; b) identification of the type and number of plant and equipment expected on site at the same time; c) details of construction activities and a construction program, including the identification of key noise and/ or vibration generating construction activities (based on representative construction scenarios) that have the potential to generate noise and/ or vibration impacts on surrounding sensitive receivers, particularly residential areas; d) identification of sensitive receivers (including heritage structures if relevant) and relevant construction noise management levels (NMLs) using the ICNG, vibration criteria using the Assessing Vibration: a Technical Guide (DECC 2006) (for human exposure) and vibration limits set out in the German Standard DIN 4150-3: Structural Vibration effects of vibration on structures (for structural damage); e) Identification of any construction activities predicted to exceed NMLs; <p>Note: The ICNG identifies 'particularly annoying' activities that require the addition of 5dB(A) to the predicted level before comparing to the construction NML.</p> f) identification of feasible and reasonable measures to be implemented to minimise and manage construction noise impacts, including, but not limited to, acoustic enclosures, erection of noise walls (hoardings), respite periods; and g) an Out-of-hours Work Protocol for the assessment, management and approval of works associated with the Moorebank Avenue/Anzac Road upgrade, the delivery of the rail link connection, and works required to be undertaken during rail corridor possessions, outside of the hours identified in Condition B125. The Out-of-hours Work Protocol must: <ul style="list-style-type: none"> i. detail an assessment of out-of-hours works against the relevant NMLs and vibration criteria, ii. provide detailed mitigation measures for any residual impacts (that is, additional to general mitigation measures), including extent of at-receiver treatments, and iii. include proposed notification arrangements. 	Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 17/12/2021 Letter DPIE to SIMTA, 07/02/20	The CNVMP was prepared to address CoC C1 and this condition: <ul style="list-style-type: none"> a) Figure 3 b) Section 4.4.3; Table 30 c) Section 2.3.1 d) Section 4.2, 4.3.1, 4.3.2 e) Section 4.4.4, Table 30 f) Sections 4.5, 4.6, Tables 34, 36 g) Section 4.4.1.2m Appendix A The CNVMP was approved by the Department on 07/02/20.	Compliant
Operational Noise Management Plan				
B136	Prior to commencement of operation, the Applicant must prepare an Operational Noise Management Plan (ONMP) and submit it to the Planning Secretary for approval. The ONMP must be prepared by a suitably qualified and experienced person(s).	Site inspection 10/03/2023	The project is currently in the construction phase.	Not Triggered
B137	The ONMP must for part of the OEMP and, in addition to the general management plan requirements listed in Conditions C5 and C6 , the ONMP must include monitoring and reporting as required under Conditions B139, B140 and B141 .	Site inspection 10/03/2023	The project is currently in the construction phase.	Not Triggered
Mechanical Plant and Other Noisy Equipment Monitoring				
B138	Prior to construction of the freight terminal, freight village and each warehouse, the Applicant must submit to the Secretary a Noise Assessment for Mechanical Plant and other noisy equipment to demonstrate that plant and equipment has been selected to meet the overall noise limits specified in Table 4 .	Site inspection 10/03/2023 Noise assessment report for Warehouse 6 (JN) - 18/10/2021. Noise assessment report for Warehouse 5 (JR) - 21/12/2021	The construction of freight terminal, freight village has yet to commence. The Woolworths warehouse is well under construction. Noise assessment report for Warehouse 6 (JN) was submitted to the Department in accordance with C11 on 18/10/2021. Noise assessment report for Warehouse 5 (JR) was submitted to the Department in accordance with C11 on 21/12/2021. PM for Warehouse 5 indicated that construction e.g., concrete and steel works started February 2023.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B139	<p>The Applicant must carry out noise monitoring of mechanical plant and other noisy equipment for a minimum period of one week where valid data is collected following operation/ occupation of the freight terminal, freight village and each warehouse. The monitoring program must be carried out by a suitably qualified and experienced person(s) and a Monitoring Report for Mechanical Plant must be submitted to the Planning Secretary within two months of operation of the freight terminal and occupation of each tenancy to verify predicted mechanical plant and equipment noise levels.</p>	Site inspection 10/03/2023	The project is in construction. Mechanical plant is yet to be operational.	Not Triggered
Site Noise Monitoring and Reporting				
B140	<p>Within 12 months of operation of the intermodal terminal facility; occupation of the first warehouse, 50% occupation of the site and 100% occupation of the site, or as otherwise agreed by the Planning Secretary, the Applicant must undertake Operational Noise Monitoring to compare actual noise performance of the project against predicted noise performance and prepare an Operational Noise Report to document this monitoring. The Report must include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) noise monitoring to assess compliance with the predicted operational noise levels and the noise limits specified in Table 4; b) a validation by predictive modelling of the operational noise levels in terms of criteria and noise goals established in the Road Noise Policy (RNP, EPA, 2001); c) sleep disturbance impacts compared to those determined in documents specified under Condition A3; d) impacts associated with annoying characteristics such as prominent tonal components, impulsiveness, intermittency, irregularity and dominant low-frequency content; e) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which project noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers; f) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and heavy vehicle proportions; g) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of all feasible and reasonable mitigation measures; h) identification of additional measures to those predicted in the documents specified under Condition A3, that would be implemented with the objective of meeting the criteria outlined in the RNP and NPI (EPA, 2017), including timing of implementation; i) details of any complaints and enquiries received in relation to operational noise generated by the project between the date of commencement of operation and the date the report was prepared; and j) procedures for the management of operational noise and vibration complaints. <p>The Operational Noise Report is to be verified by a suitably qualified and experienced noise and vibration expert.</p> <p>The Operational Noise Report must be submitted to the Planning Secretary and the EPA within 60 days of completing the operational noise monitoring referred to in (a) above or as otherwise agreed by the Planning Secretary.</p>	Site inspection 10/3/2023	The project is currently in the construction phase.	Not Triggered
Rail Noise Monitoring and Reporting				
B141	<p>The Applicant must install and maintain a rail noise monitoring system on the rail link at the commencement of operation to continuously monitor the noise from rail operations on the rail link. The system must capture the noise from each individual train passby noise generation event, and include information to identify:</p> <ul style="list-style-type: none"> a) time and date of freight train passbys; b) imagery or video to enable identification of the rolling stock during the day and night; c) LAeq(15hour) and LAeq(9hour) from rail operations; and d) LAF(max) and SEL of individual train passbys, measured in accordance with ISO3095; or e) other alternative information as agreed with, or required by, the Planning Secretary. <p>The results from the noise monitoring system, must be publicly accessible from a website maintained by the Applicant. The noise results from each train must be available as live data on the website, unless unforeseen circumstances (i.e., a system malfunction) have occurred. The LAeq(15hour) and LAeq(9hr) results from each day must be available on the website within 1 hour of the period ending.</p>	Site inspection 10/3/2023	The project is currently in the construction phase.	Not Triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B142	Prior to the commencement of operation, the Applicant must submit to the Planning Secretary for approval, justification supporting the appropriateness of the location for rail noise monitoring , including details of any alternative options considered and reasons for these being dismissed. The noise monitoring location(s) must be west of the MPW Stage 2 connection to the rail link constructed under MPE Stage 1.	Site inspection 10/3/2023	The project is currently in the construction phase.	Not Triggered
B143	From the commencement of operation, the Applicant must provide an annual Rail Noise Monitoring Report to the Planning Secretary for a period of 5 years, or as otherwise agreed with the Planning Secretary. The Planning Secretary shall consider the need for further reporting following a review of the results for year 5. <i>Note: the above rail noise monitoring and reporting conditions may be satisfied by the implementation of relevant monitoring and reporting conditions under the MPE Stage 1 consent.</i>	Site inspection 10/3/2023	The project is currently in the construction phase.	Not Triggered
Heritage				
Aboriginal Studies				
B144	A Salvage Strategy must be developed in consultation with OEH and with relevant Registered Aboriginal Parties prior to any impacts on Aboriginal objects and sites.	MPWS2 Aboriginal Archaeological Salvage Strategy, Artefact, 14/01/20	The Strategy was prepared prior to works under SSD 7709 and the consultation records are included in the document.	Compliant
B145	The scar tree portions of Aboriginal sites MA6 & MA7 are to be removed by a qualified arborist and relocated to a suitable area identified in consultation with Registered Aboriginal Parties.	Care Agreement Heritage NSW, 07/09/20	The Care Agreement, prepared by Heritage NSW, identifies the process that was executed for the removal and storage of the scar tree portions and the consultation undertaken, as well as the long-term storage.	Compliant
B146	Staged salvage excavation of selected areas should be conducted in consultation with Registered Aboriginal Parties. These stages include: a) dispersed pits placed along transects within the Terrace PAD and the tertiary terrace (between MA10 and MA14 – refer to Figure 16-2 of the EIS); and b) open area salvage excavation, targeting the artefact concentrations at MA10 and MA14, as well as any additional artefact concentrations identified during (a) above.	MPWS2 Aboriginal Archaeological Salvage Strategy, Artefact, 14/01/20 MA10 and MA14 Clearance Report, Biosis, 16/10/20	The Salvage Strategy was prepared in consultation with the RAPs. The Biosis Clearance Report confirms completion of salvage in accordance with the Salvage Strategy. Staged salvage of MA10 and part of MA14 (note part of the MA14 is within the biobanking area and remains undisturbed).	Compliant
B147	Following completion of salvage, the Applicant must prepare an Aboriginal Cultural Heritage Salvage Report in accordance with any guidelines and standards or OEH requirements. The report must include details of any archival recording, further archaeological research either undertaken or to be carried out, and archaeological excavations (with artefact analysis and identification of a final repository for finds) and be submitted to the Planning Secretary, OEH, relevant Council(s) and Registered Aboriginal Parties, where relevant, for information within 12 months after the completion of salvage works.	MPWS2 Aboriginal Archaeological Salvage Strategy, Artefact, 14/01/20 MA10 and MA14 Clearance Report, Biosis, 16/10/20	The Aboriginal artefact burial occurred during 13 February 2023. Report is currently being prepared by the Artefact consulting.	Not Triggered
Aboriginal Items or Objects				
B148	If any Aboriginal object of Aboriginal place is identified on site, or suspected to be on site (other than those identified in the EIS): a) all work in the immediate vicinity of the object or place must cease immediately; b) a 10 m wide buffer area around the object or place must be cordoned off; and c) OEH must be contacted immediately.	Interview with auditees 15/03/2023 Aboriginal Cultural Heritage Management Plan, 15/07/20, Artefact Letter DPIE to SIMTA, 20/10/20	No unexpected finds have been identified by the auditees during the audit period.	Not Triggered
B149	Work in the immediate vicinity may only recommence if: a) the object or place is confirmed by OEH upon consultation with the Registered Aboriginal Parties, not to be an Aboriginal object or Aboriginal place; or b) an Aboriginal Cultural Heritage Management Plan is prepared in consultation with the Registered Aboriginal Parties and OEH to include the object or place and appropriate measures in respect of it, and the Plan is approved by the Planning Secretary; or c) OEH is satisfied as to the measures to be implemented in respect of the object or place and makes a written direction in that regard.	Interview with auditees 15/03/2023 Aboriginal Cultural Heritage Management Plan, 15/07/20, Artefact Letter DPIE to SIMTA, 20/10/20	No unexpected finds have been identified by the auditees during the audit period.	Not Triggered
Non-indigenous Heritage				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B150	<p>If any unexpected archaeological relics are uncovered:</p> <ul style="list-style-type: none"> a) all work in the immediate vicinity of the find must cease immediately; b) OEH Heritage Division must be notified; c) a suitably qualified and experienced archaeologist (e.g. project archaeologist) must record and assess the significance of the find with the results reported to the Planning Secretary, OEH Heritage Division, Council and the local Historical Society; and d) where required, a Management Strategy is to be developed and implemented in consultation with the OEH Heritage Division. 	Interview with auditees 15/03/2023	No unexpected finds have been identified by the auditees during the audit period.	Not Triggered
B151	Work in the immediate vicinity of the find may only recommence on the advice of the project archaeologist.	Interview with auditees 15/03/2023	No unexpected finds have been identified by the auditees during the audit period.	Not Triggered
Biodiversity				
B152	<p>Prior to clearing of native vegetation, a Koala Management Plan (KMP) must be prepared by a suitably qualified person in consultation with OEH and be submitted to the Planning Secretary for approval. The KMP must:</p> <ul style="list-style-type: none"> a) make reference to <i>A review of koala tree use across New South Wales</i> (OEH 2018); b) identify habitat corridors, of adequate dimensions to provide an adequate Koala habitat corridor as supported by a Koala specialist, to provide connectivity both within the Intermodal Precinct area and with other core koala habitat areas (i.e. to the south and to the west along Georges River); c) include commitment to retain Koala use trees on site in line with phased earthworks (see e.g. Condition B40); d) include details of structures to eliminate barriers to movement (presented by fences, roads, drainage culverts or pits, rail lines and the like) for koalas and other native fauna likely to use the site or habitat corridor; e) include details on koala habitat rehabilitation/ restoration within the identified habitat corridors; and f) include other measures to minimise the risk of harm to koalas. 	<p>Moorebank Precinct West Stage 2 Koala Management Plan (KMP), Cumberland Ecology, 12/03/2020</p> <p>Letter DPIE to SIMTA, 04/05/20</p> <p>Works letter, Kingfisher, 02/12/20</p> <p>CoC B154 Clearing Permit, Georgiou, no date</p> <p>Post Clearing Report, Narla, February 2021</p> <p>Ecological Consultants Australia report, 23/02/21</p> <p>Nearmap review (2020 – 2021)</p>	<p>A KMP was prepared by qualified ecologists to satisfy this condition:</p> <ul style="list-style-type: none"> a) Sections 2.7, 4.1, 7.1, 7.2, 7.3 b) Section 7.4 c) Section 7.2.1 d) Sections 7.4, 8.3.5 e) Sections 7.2.1, 7.2.2, 7.2.3, 8.3.5 f) Sections 8.3.1 - 8.3.6 <p>The KMP was approved by the Department on 04/05/20.</p> <p>The clearing reports and Nearmap aerial photos indicate that clearing occurred after the date of approval of the KMP.</p>	Compliant
Construction Flora and Fauna Management				
B153	<p>The Applicant must:</p> <ul style="list-style-type: none"> a) ensure that no more than 42.89 hectares of native vegetation is cleared for the development; and b) before any work commences, install and maintain exclusion fencing along the riparian corridor and around any native vegetation not being removed as part of the development. 	<p>Site inspection 10/03/2023</p> <p>MPW Sitewide Aerial Overlay, Integral Surveys, 23/04/21</p> <p>Email Aspect to Aspect, 12/03/22</p> <p>Pre-clearing Survey Report for MPW-MAAI from Narla environmental dated 2/9/2021 (version 1.0)</p> <p>Post clearing report from Narla Environmental dated Feb 2023. 7 habitat trees were cleared 8th, 9th, and 11th of Feb 2023.</p> <p>MPWS2 SSD 7709 – ER Monthly Reports from Pitt & Sherry for: from April 2022 to Feb 2023 as follows:</p> <ul style="list-style-type: none"> - April 2022, submitted 9/5/22 - May 2022, submitted 10/6/22 - June 2022, submitted 12/7/22 - July 2022, submitted 5/8/22 	<p>Exclusion fencing was sighted during the inspection. The ER did not raise issues regarding clearing beyond boundaries.</p> <p>The total vegetation cleared has been estimated using survey and GIS. The area cleared for across MPW (capturing MPW1, MPW2 and MPE2 clearing) is estimated to be 42.593ha.</p> <p>Sighted Pre-clearing Survey Report for MPW-MAAI from Narla environmental dated September 2021.</p> <p>BMD: Presented Clearing of trees from Narla (Ecologist) Environmental Post clearing report dated Feb 2023. In total 7 habitat trees were cleared on the 8th, 9th, and 11th of February 2023.</p>	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<ul style="list-style-type: none"> - August 2022, submitted 8/9/22 - September 2022, submitted 14/10/22 - October 2022, submitted 11/11/22 - November 2022, submitted 5/12/22 - December 2022, submitted 6/1/23 - January 2023, submitted 22/2/23 - February 2023, submitted 7/3/2 		
B154	Prior to clearing of native vegetation, the Applicant must prepare a Construction Flora and Fauna Management Plan (CFFMP) and submit it to the Planning Secretary for approval. The CFFMP must be developed in consultation with OEH.	<p>Construction Flora and Fauna Management Plan (CFFMP) Moorebank Precinct West Stage 2, SIMTA 2/12/2021 (Rev. N) approval 18/3/2022 from DPE.</p> <p>Letter DPIE to SIMTA, 23/3/20</p> <p>Works letter, Kingfisher, 02/12/20</p> <p>Pre-clearing Survey Report for MPW-MAAI from Narla environmental dated 2/9/2021 (version 1.0)</p> <p>Post clearing report from Narla Environmental dated Feb 2023. 7 habitat trees were cleared 8th, 9th, and 11th of Feb 2023.</p>	<p>The CFFMP was prepared to satisfy this condition (section 1.4) and was approved by the Department on 23/3/20.</p> <p>The clearing reports and Nearmap aerial photos indicate that clearing occurred after the date of approval of the CFFMP.</p> <p>BMD presented:</p> <p>Pre-clearing Survey Report for MPW-MAAI from Narla environmental dated September 2021.</p> <p>Clearing of trees from Narla (Ecologist) Environmental Post clearing report dated Feb 2023. In total 7 habitat trees were cleared 8th, 9th, and 11th of Feb 2023.</p>	Compliant
B155	<p>The CFFMP must form part of the CEMP required by Condition C2 and, in addition to the general management plan requirements listed in Condition C1, the CFFMP must include the following:</p> <ul style="list-style-type: none"> a) measures to minimise the loss of key fauna habitat including tree hollows and koala feed trees; b) measures to minimise the impacts on fauna on site; and c) measures to ensure biodiversity values not intended to be impacted are protected including mapping of protected/ 'no-go' areas. <p>Note: A version of the CFFMP is to be submitted prior to any clearing required to conduct remediation. In accordance with the definition of construction, that version of the CFFMP can be prepared and submitted for approval as a standalone document prior to any clearing required to conduct remediation, and a full CEMP does not need to be submitted at that point in time.</p>	<p>Construction Flora and Fauna Management Plan (CFFMP) Moorebank Precinct West Stage 2, SIMTA, 2/12/2021</p> <p>Letter DPIE to SIMTA, 23/3/20</p>	<p>The CFFMP was prepared to satisfy CoC C1 and this condition:</p> <ul style="list-style-type: none"> a) Section 3.3 b) Section 3.3 c) Section 3.3, Appendix B <p>The CFFMP was approved by the Department on 23/3/20.</p>	Compliant
B156	Prior to removing/ clearing any vegetation or any demolition, pre-clearing surveys and inspections for threatened species, populations and ecological communities must be undertaken. The surveys and inspections, and any subsequent relocation of species and associated management measures, must be undertaken under the guidance of a suitably qualified and experienced ecologist.	<p>Pre-clearing Survey Report for MPW-MAAI from Narla environmental dated 2/9/2021 (version 1.0)</p> <p>Post clearing report from Narla Environmental dated Feb 2023. 7 habitat trees were cleared 8th, 9th, and 11th of Feb 2023.</p> <p>Permit to Clear MAAI from BMD</p>	<p>Evidence presented from BMD:</p> <p>Pre-clearing Survey Report for MPW-MAAI from Narla environmental dated 2/9/2021 (version 1.0)</p> <p>Clearing of trees - Environmental Post clearing report from Narla (Ecologist) dated Feb 2023. In total 7 habitat trees were cleared 8th, 9th, and 11th of Feb 2023. Relocation of possum and frog.</p> <p>Only biodiversity vehicles are used in the vegetation areas to monitor. There is a Sewel between the basins and vegetation.</p>	Compliant
B157	<p>Prior to any impact on the species to be offset, the Applicant must retire biodiversity credits specified in Table 5 and Table 6. The retirement of credits must be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects (OEH 2014)</i>.</p> <p>Table 5: Ecosystem credit requirements</p>	<p>Biobanking agreement, NSW OEH, 26/11/19</p> <p>Memo, Arcadis to DPIE, 11/12/2019</p> <p>Permit to Clear MAAI from BMD</p>	<p>Biobanking retirement memorandum, prepared by Arcadis describes how the project has retired the biobanking offset requirements for SSD 7709 and other projects). It includes consultation with the Department on inclusion from the other projects.</p>	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status																																											
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B158	<p>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, provided it is not inconsistent with Condition B157; 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. 	Biobanking agreement, NSW OEH, 26/11/19 Memo, Arcadis to DPIE, 11/12/2019 Permit to Clear MAAl from BMD	Biobanking retirement memorandum, prepared by Arcadis describes how the project has retired the biobanking offset requirements for SSD 7709 and other projects). It includes consultation with the Department on inclusion from the other projects. The OEH biobanking agreement from 26/11/19 confirms the retirement.	Compliant																																											
B159	<p>If any native flora or fauna is identified on site that has not been previously identified in the documents listed in Condition A3:</p> <ol style="list-style-type: none"> work must cease in the vicinity; a buffer zone must be established in consultation with the project ecologist; OEH must be notified; appropriate mitigation measures must be determined in consultation with OEH (including relevant re-location measures); and ecological monitoring and/ or biodiversity offset requirements must be updated, where required. 	Interview with auditees 15/03/2023	No new native flora and fauna (not already identified / considered in the EIS) has been identified by the auditees. Some exotic species were identified.	Not Triggered																																											
Operational Flora and Fauna Management																																															
B160	<p>Prior to commencement of operation an Operational Flora and Fauna Management Plan (OFFMP) must be prepared by a suitably qualified person in consultation with OEH and be submitted to the Planning Secretary for approval. The OFFMP must include:</p> <ol style="list-style-type: none"> monitoring, management and maintenance procedures for koala habitat corridors; and management and maintenance of other measures and site operations to minimise the risk of harm to koalas and other native fauna. 	Site inspection 10/03/2023	The project is currently in the construction phase.	Not Triggered																																											
Contamination and Remediation																																															
Site Auditor																																															

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B161	Prior to the commencement of any works, the Applicant must engage a Site Auditor accredited under the <i>Contaminated Land Management Act 1997</i> NSW Site Auditor Scheme.	Memorandum SIMTA to MIC, 26/05/16	James Davis was engaged in 2016.	Compliant
Per- and Polyfluoroalkyl Substances (PFAS) Contamination				
B162	Prior to construction, the Applicant must provide the EPA with a copy of all reports to date relating to the assessment of per- and poly-fluoroalkyl substances (PFAS) undertaken for the development and in relation to contamination from the development.	Email, Tactical to EPA 09/11/20 Interview with auditees 15/03/2023	On 9 November 2020 all the files were issued to the EPA. The Auditor is not aware of any response from the EPA in relation to this condition.	Compliant
B163	Should the Applicant identify a potential risk to off-site receptors due to PFAS contamination, the Applicant must contact the EPA as soon as practicable to discuss requirements for community consultation.	Auditee response to Independent Audit No. 1 RFI, 26/03/21 Site Audit Statement, SSD 7709, James Davis, 24/11/20 Long-Term Environmental Management Plan, EP Risk, 01/12/2020 Email, SIMTA to EPA, 24/11/20	During the previous audit, the Auditor requested that the auditee provide a copy of the document/s that support the Project's position that there is no off-site risk posed by PFAS contamination. The auditees provided the following response: <i>EnRiskS (2019) has prepared an off-site Waterway Human Health and Ecological Risk Assessment that has been provided to the Site Auditor. The Site Auditor has reviewed the EnRiskS (2019) report and provided his review and the EnRiskS (2019) report to the EPA. This is a Commonwealth Controlled report permission is required before it can be released. However, this is indirectly covered off in the LTEMP consultation log. The LTEMP was provided to the EPA.</i> The LTEMP details measures to manage PFAS impacted materials and waters on the project, but it does not present details on the level of risk to off-site receptors due to PFAS contamination. The SSD 7709 Site Audit Statement certifies that the site is fit for use (commercial / industrial) subject to implementation of the Long-Term Environmental Management Plan, EP Risk, 01/12/20, and the Contamination Management Plan, EP Risk, 08/11/20. No Remediation Action Plan was deemed to be required by the Contaminated Site Auditor (indicating that there are no unacceptable human health / ecological risks present). The Site Audit Statement and associated information has been issued to the EPA.	Compliant
Contamination in Vegetated Areas				
B164	Prior to vegetation clearing: a) the Applicant must identify contamination within vegetated areas and prepare options for remediation in those areas, with the objectives to: i. retain vegetation to the greatest extent possible beyond the completion of remediation; ii. minimise land disturbance in accordance with Condition B41 ; and iii. not reduce the ability to provide connectivity and habitat corridors in accordance with Conditions B2 and B152 ; b) where remediation requires prior vegetation clearing, an appropriate assessment of the impact of clearing on contaminated land must be prepared by a suitably qualified and experienced consultant; and c) where contamination is identified as occurring within those areas where vegetation is proposed to be cleared, a Contamination Management Plan must be prepared in consultation with the Site Auditor detailing the location and nature of the contamination and the proposed remediation and/ or management measures that will be undertaken to address the on-site and potential off-site impacts.	Contamination Management Plan Moorebank Precinct West, EP Risk, 30/07/20 Site Audit Statement, SSD 7709, James Davis, 24/11/20 Letter DPIE to SIMTA, 23/10/20 CoC B154 Clearing Permit, Georgiou, no date. Post Clearing Report, Narla, February 2021 Ecological Consultants Australia report, 23/02/21	A Contamination Management Plan was prepared to satisfy CoC C1 and this condition: a) Section 5, Appendices D and E b) Section 5, Appendices D and E c) The CMP was provided to the Contaminated Sites Auditor as part of the SSD 7709 Site Audit Statement application. The CMP was approved by the Department in October 2020. Vegetation clearing on SSD 7709 commenced in December 2020.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<p>Pre-clearing Survey Report for MPW-MAAI from Narla environmental dated 2/9/2021 (version 1.0)</p> <p>Post clearing report from Narla Environmental dated Feb 2023. 7 habitat trees were cleared 8th, 9th, and 11th of Feb 2023.</p>		
B165	<p>A copy of the assessment required by Condition B164 above and any associated update of the CEMP required must be provided to the Planning Secretary for approval one month before commencement of vegetation clearing. Evidence of consultation with the Site Auditor must be included.</p>	<p>Contamination Management Plan Moorebank Precinct West, EP Risk, 30/07/20</p> <p>Site Audit Statement, SSD 7709, James Davis, 24/11/20</p> <p>Letter DPIE to SIMTA, 23/10/20</p> <p>CoC B154 Clearing Permit, Georgiou, no date.</p> <p>Post Clearing Report, Narla, February 2021</p> <p>Ecological Consultants Australia report, 23/02/21</p> <p>Pre-clearing Survey Report for MPW-MAAI from Narla environmental dated 2/9/2021 (version 1.0)</p> <p>Post clearing report from Narla Environmental dated Feb 2023. 7 habitat trees were cleared 8th, 9th, and 11th of Feb 2023.</p>	<p>A Contamination Management Plan was prepared to satisfy CoC C1 and this condition:</p> <ul style="list-style-type: none"> d) Section 5, Appendices D and E e) Section 5, Appendices D and E f) The CMP was provided to the Contaminated Sites Auditor as part of the SSD 7709 Site Audit Statement application. <p>The CMP was approved by the Department in October 20. Vegetation clearing on SSD 7709 commenced in December 2020.</p>	Compliant
Remediation				
B166	<p>Following vegetation clearing and prior to the commencement of other construction activities, the Applicant must complete remediation of the site in accordance with any relevant Remediation Action Plan (RAP) to the satisfaction of the Planning Secretary. The RAP must include options to remediate and/or manage PFAS impacted areas across the site, including the conservation area. The RAP must be submitted to the accredited site auditor and the NSW EPA for comment prior to implementation. If any amendments are required to the RAP, the amendments must be approved by an EPA accredited Site Auditor.</p>	<p>Site Audit Statement, SSD 7709, James Davis, 24/11/20</p> <p>Site Audit Statement, SSD 5066, James Davis, 18/09/20</p> <p>Letter DPE to SIMTA, 24/03/21 (DPE acceptance that no RAP required).</p>	<p>The SSD 5066 Site Audit Statement certifies that the site is fit for use (commercial / industrial) subject to implementation of the Long-Term Environmental Management Plan, ER Risk, 02/09/20, and the Contamination Management Plans, EP Risk, 30/07/20 and 08/11/20. Both those documents address the proposed approaches for managing residual contamination including PFAS, unexpected finds and contamination present in vegetated areas. No RAP was deemed to be required by the Contaminated Site Auditor.</p> <p>The SSD 7709 Site Audit Statement certifies that the site is fit for use (commercial / industrial) subject to implementation of the Long-Term Environmental Management Plan, EP Risk, 01/12/20, and the Contamination Management Plan, EP Risk, 08/11/20. Both those documents address the proposed approaches for managing residual contamination including PFAS, unexpected finds and contamination present in vegetated areas. No RAP was deemed to be required by the Contaminated Site Auditor. This was agreed to by the Department.</p>	Not Triggered
Validation Report				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B167	The Applicant must prepare a Validation Report for the Stage 1 development. The Validation Report must: <ul style="list-style-type: none"> a) be reviewed by an EPA accredited Site Auditor; b) be prepared in accordance with the RAP and the Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (OEH, 2011); c) include, but not be limited to: <ul style="list-style-type: none"> i. comment on the extent and nature of the remediation undertaken, ii. describe the location, nature and extent of any remaining contamination on site, iii. sampling and analysis plan and sampling methodology, iv. details of the volume of treated material emplaced within any remaining containment cell, v. results of any validation sampling, compared to relevant guidelines/ criteria, and vi. discussion of the suitability of the remediated areas for the intended future land uses described under SSD 5066 and SSD 7709 – Stage 2 (including for the raised landform and imported fill characteristics and the drainage outlet structures in the riparian corridor). 	Letter Enviroview (James Davis) to Tactical, 22/09/20 Site Audit Statement, SSD 5066, James Davis, 18/09/20 MPW Supplementary Validation Report, JBS&G, 25/09/20	The Contaminated Site Auditor reviewed the Validation Report and provided 11 x comments on its content. The report includes the information specified by this condition.	Compliant
B168	A copy of the Validation Report must be provided to the Planning Secretary, EPA and the Certifying Authority prior to commencement of construction (other than the vegetation clearing required for remediation).	Email SIMTA to Certifier, 24/11/20 Email SIMTA to EPA, 23/11/20 DPIE post approval portal lodgement 20/11/20	The validation report was provided to the identified stakeholders.	Compliant
Site Audit Statements				
B169	Upon completion of the remediation required in relation to Stage 1 (SSD 5066) and this development and prior to the commencement of construction (other than the vegetation clearing required for remediation) in relation to this approval (i.e. Stage 2 SSD 7709), the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement A for the whole site, prepared in accordance with the <i>NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017</i> , which demonstrates the site is suitable for its intended land uses under Stage 2 SSD 7709 including for the: <ul style="list-style-type: none"> a) importation and placement of fill, b) construction of a warehouse estate including warehouse buildings, c) development of an intermodal terminal, and d) protection of the conservation area including riparian corridor and biodiversity offset sites. 	Site Audit Statement, SSD 7709, James Davis, 24/11/20 Letter DPE to SIMTA, 24/03/21 (DPE acceptance that no RAP required) Letter DPE to SIMTA, 28/01/22 (notice of breach of B169 and B171 (failure to submit SASs as per the timing in the relevant conditions), as well as reference to commencing construction without necessary approvals having been in place).	The SSD 7709 Site Audit Statement certifies that the site is fit for use (commercial / industrial) subject to implementation of the Long-Term Environmental Management Plan, EP Risk, 01/12/20, and the Contamination Management Plan, EP Risk, 08/11/20. Both those documents address the proposed approaches for managing residual contamination including PFAS, unexpected finds and contamination present in vegetated areas. No RAP was deemed to be required by the Contaminated Site Auditor. This was agreed to by the Department. The warning notice 28/1/22 for breach of B169 due to the Site Audit Statement and Site Audit Report having been submitted after the commencement of construction on SSD 7709 was closed during this audit.	Compliant
B170	To ensure that no residual contaminated land on site is impacted by this approval, the requirements of Site Audit Statement A required by Condition B169 cannot be staged.	Site Audit Statement, SSD 7709, James Davis, 24/11/20 Site Audit Statement, SSD 5066, James Davis, 18/09/20	The Site Audit Statements is not staged however it acknowledges ongoing management of contamination through the relevant LTEMPs and CMPs. Refer to finding for B171 regarding subsequent Site Audit Statement submission prior to permanent built surface works.	Compliant
B171	Upon completion of importation and placement of fill and prior to construction of permanent built surface works, the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement A for the whole site, prepared in accordance with the <i>NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017</i> , which demonstrates the site is suitable for its intended land uses under MPW Stage 2 SSD 7709.	Site Audit Statement, SSD 7709, James Davis, 14/02/21 (for Woolworths pads, part of proposed lots 6, 7, 12) Letter SIMTA to DPE, 28/04/21 (application to stage B171) Letter DPE to SIMTA, 14/05/21 (approval to stage B171) Site Audit Statement for:	The submission of the B171 SAR and SAS was permitted to be staged under A42 in April-May 2021. On 14/2/2023 the Department issued a warning letter for breach on Condition B171 (A non-compliance was identified on the 7/9/2022 for not submitting the SAR and SAS to the Department upon completion of importation and placement of fill and prior to construction of permanent built surface works on the	Non-Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<ul style="list-style-type: none"> - Parts of proposed Lots 6, 7, and 12 (Woolworths), 14/02/2022 - Northern Ring Road, Service Pad, and Loop Road, 26/09/2022 - Interstate Terminal Site Audit Area, 25/11/2022 - Anzac Road Interface Site Audit Area, 6/2/2023 - Southern Ring Road, 22/12/2022. <p>DPE submission for southern works made 10/2/2023</p> <p>Warning letter from DPE 14/2/2023 re. breach of condition B171 on the SSD7709</p>	<p>Western Ring Road). The Department elected to not take further regulatory action in relation to the matter.</p> <p>Evidence was presented for the following SAS:</p> <ul style="list-style-type: none"> - Site Audit Statement, dated 14/02/2022, for the Parts of proposed Lots 6, 7, and 12 (Woolworths). Site Audit Report No. 600099_0301-2020-1. - Site Audit Statement, dated 26/09/2022, for the Northern Ring Road, Service Pad, and Loop Road. Site Audit Report No. 600099_0301-2020-3. - Site Audit Statement, dated 25/11/2022, for the Interstate Terminal Site Audit Area. Site Audit Report No. 600099_0301-2020-4. - Site Audit Statement, dated 22/12/2022, for the Southern Ring Road No. 0301-2020-7. Site Audit Report no. 600099_0301-2020-7. The SAS was submitted to the DPE on the 10/2/2023. - Site Audit Statement, dated 6/2/2023, for the Anzac Road Interface Site Audit Area. Site Audit Report No. 600099_0301-2020-9. 	
Long Term Environmental Management Plan				
B172	<p>Where remediation outcomes for the site require long term environmental management, a suitably qualified and experienced person must prepare a Long Term Environmental Management Plan (LTEMP), to the satisfaction of the Site Auditor. The plan must:</p> <ul style="list-style-type: none"> a) be submitted to the Planning Secretary and EPA prior to commencement of construction (other than vegetation clearing); and b) include, but not be limited to: <ul style="list-style-type: none"> i. a description of the nature and location of any contamination remaining on site, ii. provisions to manage and monitor any remaining contamination, including details of any restrictions placed on the land to prevent development over the containment cell, iii. a description of the procedures for managing any leachate generated from the containment cell, including any requirements for testing, pumping, treatment and/ or disposal, iv. a description of the procedures for monitoring the integrity of the containment cell, v. a surface and groundwater monitoring program, vi. mechanisms to report results to relevant agencies, vii. triggers that would indicate if further remediation is required, and viii. details of any contingency measures that the Applicant is to carry out to address any ongoing contamination. 	<p>Long-Term Environmental Management Plan (LTEMP), EP Risk, 27/11/20</p> <p>Email, SIMTA to EPA, 24/11/20</p> <p>DPIE post approval portal lodgement 24/11/20</p>	<p>The LTEMP was prepared, addressing the requirements of CoC C1 and this condition:</p> <ul style="list-style-type: none"> a) submitted to the identified stakeholders in November. Construction commenced on 01/12/20. b)i) Appendix C b)ii) Appendix D b)iii) no containment cell proposed, note Appendix H b)iv) no containment cell proposed, note Appendix H b)v) Section 5, Appendix D b)vi) Section 5, Appendix D b)vii) Appendix F b)viii) Appendix D. 	Compliant
B173	The LTEMP must be registered on the title to the land.	<p>Long-Term Environmental Management Plan (LTEMP), EP Risk, 27/11/20</p> <p>Interview the auditees 15/03/2023</p>	Section 1.4 of the LTEMP identifies the need for it to be registered to the title of the land. The LTEMP/s will be registered to the warehouse lots following subdivision (as required).	Not Triggered
Unexpected Ordnance				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status																																																			
B174	Unexpected Ordnance (UXO), Exploded Ordnance (EO) and Exploded Ordnance Waste (EOW) protocols must be prepared by an UXO contractor listed on the Defence Panel of suitably qualified UXO consultants and contractors.	Unexploded Ordnance Management Plan, GTek Australia, 08/11/19 Defence explosives ordnance plane, webpage visited.	UXO EO EOW protocols are within the CMP. It was prepared by GTek whom are listed on the Defence panel.	Compliant																																																			
Unexpected Finds Protocol																																																							
B175	The CEMP required under Condition C2 must include an Unexpected Finds Protocol(s) for, but not limited to, contamination, ordnances, Aboriginal sites, non-indigenous heritage and flora and fauna.	Construction Environmental Management Plan (CEMP) Moorebank Precinct West Stage 2, SIMTA, 2/12/2021	The unexpected find protocol is within Appendix D of the CEMP	Compliant																																																			
Hazards and Risks																																																							
B176	The total quantities of dangerous goods present at any time within the development and transport movements to and from the development must be kept below the screening threshold quantities and movements listed in the Department's <i>Hazardous and Offensive Development Guidelines Applying SEPP 33</i> (January 2011) with the exception of dangerous goods storage for Warehouses JR and JN.	Site inspection 10/03/2023	The project is in construction. Dangerous goods on site are negligible.	Compliant																																																			
B176A	The storage of dangerous goods and combustible materials within Warehouses JR and JN must not exceed the maximum storage quantities listed in Table 7 at all times: Table 7: Storage of dangerous goods within Warehouses JR and JN	Site inspection 10/03/2023	The project is in construction with the warehouses yet to store dangerous goods. Refer to photos in Appendix E.	Not Triggered																																																			
<table border="1"> <thead> <tr> <th>Location</th> <th>Dangerous Goods Class</th> <th>Packing Group</th> <th>Description</th> <th>Maximum Storage Quantity (Kg)</th> </tr> </thead> <tbody> <tr> <td rowspan="3">JR Warehouse</td> <td>2.1</td> <td>n/a</td> <td>Liquified Petroleum Gas (LPG) in bulk tank</td> <td>3,080</td> </tr> <tr> <td>2.1</td> <td>n/a</td> <td>Aerosols with LPG propellant</td> <td>40,000</td> </tr> <tr> <td>n/a</td> <td>n/a</td> <td>Diesel fuel (C1 combustible material)</td> <td>60,000</td> </tr> <tr> <td rowspan="8">JN Warehouse</td> <td>1.4s</td> <td>n/a</td> <td>Explosives (i.e. party poppers)</td> <td>200</td> </tr> <tr> <td>2.1</td> <td>n/a</td> <td>LPG in bulk tank</td> <td>3,080</td> </tr> <tr> <td>3</td> <td>II</td> <td>Flammable liquids (i.e. paints)</td> <td>32,700</td> </tr> <tr> <td>3</td> <td>III</td> <td>Flammable liquids (i.e. paints)</td> <td>44,100</td> </tr> <tr> <td>4.1</td> <td>III</td> <td>Flammable solids (i.e. matches)</td> <td>4,200</td> </tr> <tr> <td>5.1</td> <td>III</td> <td>Oxidising agents (i.e. hair dyes)</td> <td>1,300</td> </tr> <tr> <td>8</td> <td>II</td> <td>Corrosive substances (i.e. cleaners)</td> <td>12,000</td> </tr> <tr> <td>8</td> <td>III</td> <td>Corrosive substances (i.e. cleaners)</td> <td>33,000</td> </tr> </tbody> </table>					Location	Dangerous Goods Class	Packing Group	Description	Maximum Storage Quantity (Kg)	JR Warehouse	2.1	n/a	Liquified Petroleum Gas (LPG) in bulk tank	3,080	2.1	n/a	Aerosols with LPG propellant	40,000	n/a	n/a	Diesel fuel (C1 combustible material)	60,000	JN Warehouse	1.4s	n/a	Explosives (i.e. party poppers)	200	2.1	n/a	LPG in bulk tank	3,080	3	II	Flammable liquids (i.e. paints)	32,700	3	III	Flammable liquids (i.e. paints)	44,100	4.1	III	Flammable solids (i.e. matches)	4,200	5.1	III	Oxidising agents (i.e. hair dyes)	1,300	8	II	Corrosive substances (i.e. cleaners)	12,000	8	III	Corrosive substances (i.e. cleaners)	33,000
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B176B	Prior to the commencement of construction, the pre-construction studies set out below must be completed: (a) a Fire Safety Study for Warehouse JR and/or Warehouse JN, covering the relevant aspects of the Department's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines' and the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems. The study must be prepared in consultation with Fire and Rescue NSW. (b) a Final Hazards Analysis for Warehouse JR and/or Warehouse JN, consistent with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'. Construction of Warehouse JR or Warehouse JN, other than of preliminary works that are outside the scope of the hazards studies, must not commence until the relevant study recommendations for the subject warehouse have been considered and, where appropriate, acted upon. The studies must be submitted to the Planning Secretary no later than one month prior to the	DPE post approval portal lodgement, 06/07/21 (submission of original JN Fire Safety Study) DPE post approval portal lodgement, 06/07/21 (submission of original JN Final Hazard Analysis) Fire Safety Study (JN), Rev1, 22/09/21 Final Hazard Analysis (JN), Rev 1, 22/09/21 Letter DPE to SIMTA, 12/11/21 (acknowledgement of receipt of submission)	The Fire Safety Study and Final Hazard Analysis for JN were submitted to the Department prior to commencement of permanent works on warehouse JN. However, the studies included dangerous goods quantities over that permitted under B176A. Updated Fire Safety Study and Final Hazard Analysis were prepared in September 2021, submitted and were accepted by the Department in November 2021. JR Fire Safety Study and Final Hazard Analysis reports have been submitted to the Department; however the Department has comments on these documents. Warehouse JR has yet to commence.	Compliant																																																			

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	commencement of construction of relevant warehouse to which they apply (other than preliminary works), or within such further period as the Planning Secretary may agree.	of the Rev 1 versions of the JN Fire Safety Study and Final Hazard Analysis) Fire Safety Study (JR), Rev 1, 23/09/21 Final Hazard Analysis (JR), Rev 1, 19/11/21 DPE post approval portal lodgement, 14/12/21 (submission of JR Final Hazard Analysis) DPE post approval portal lodgement, 14/12/21 (submission of JR Fire Safety Study)		
B176C	Prior to the commissioning of Warehouse JR and Warehouse JN (or prior to the commissioning of the relevant warehouse, should the development be staged), the pre-commissioning plans and systems set out below must be completed: (a) a comprehensive Emergency Plan and detailed emergency procedures for the safety of all people outside Warehouse JR and/or Warehouse JN, who may be at risk from the warehouse/s. The plan must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'. (b) a document setting out a comprehensive Safety Management System covering all on-site operations and associated transport activities involving hazardous materials for Warehouse JR and/or Warehouse JN. The document must clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures. The Safety Management System shall be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'. Records shall be kept on-site at all times and must be available for inspection by the Secretary upon request. Documentation must be submitted to the Planning Secretary no later than two months prior to the commencement of commissioning of the proposed development, or within such further period as the Planning Secretary may agree.	Site inspection 10/03/2023	The commissioning of the relevant warehouses has yet to commence.	Not Triggered
B176D	Twelve months after the commencement of operations of Warehouse JR and/or Warehouse JN, should the development be staged, and every five years thereafter, or at such intervals as Council may agree, a comprehensive Hazard Audit of the warehouse/s must be carried out and a report submitted to the Planning Secretary within one month of each audit. The audits must be carried out at the Applicant's expense by a qualified person or team, independent of the development, approved by the Planning Secretary prior to commencement of each audit. Hazard Audits must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'. The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the deferral of the implementation of a recommendation is intended, reasons must be documented.	Site inspection 10/3/2023	The operation of the relevant warehouses has yet to commence.	Not Triggered
B176E	The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions B176B to B176D, within such time as the Planning Secretary may agree.	Refer to responses to B176B – B176D	Refer to responses to B176B – B176D.	Not Triggered
B177	The Applicant (the operator/ occupant of each premises) must store and handle all chemicals, fuels and oils, including Dangerous Goods as defined in the <i>Australian Code for the Transport of Dangerous Goods by Road & Rail</i> , in accordance with: a) the requirements of all relevant Australian Standards; and b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participant's Manual if the chemicals are liquids. In the event of an inconsistency between the requirements listed above in (a) and (b), the most stringent requirement must prevail to the extent of the inconsistency.	Site inspection 10/3/2023	The project is currently in the construction phase.	Not Triggered
B178	Fuel stored on the site must only be used for the purposes of refuelling IMT facility plant and equipment and locomotives.	Site inspection 10/3/2023	The project is currently in the construction phase.	Not Triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B179	Prior to the occupation of each premises and in each instance of occupation by a new occupant, a statement must be submitted to the Planning Secretary confirming that the premises will be operated so as to comply with the requirements of Conditions B176 and B177 .	Site inspection 10/3/2023	The project is currently in the construction phase.	Not Triggered
Waste Management				
B180	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's <i>Waste Classification Guidelines Part 1: Classifying Waste</i> (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.	<p>Interview with auditees 15/03/2023</p> <p>Georgiou - Recycling and General Waste Register current to Feb 2023.</p> <p>EPA License No. 2085</p> <p>Martinus - Sighted Austip Recycling Report for Feb 2023. EPA License NO. 21421 18/09</p> <p>BMD - Waste register up to date 9/3/2023. Fairfield Council EPL 57 13 and Brandown Cecil Park 12618. 121-2092</p> <p>Stockpile register Rev 1, BMD (Lot 100).</p> <p>RCC - Stg 1 - Waste register and waste reports from Orange Bins Jan and Feb 2023.</p> <p>PFAS soil classification reports (ENV01-06), Ground Technologies 14/1/2021</p> <p>Stg 2 – Recycling report Feb 2023 from Garbage Guts Skip Bins. EPL facility license numbers for: Blacktown Waste Services: 11497; Cobra Waste Solutions: 21011; and Bingo Industries: 13426</p> <p>27/5/2022 PFAS soil classification reports from GT</p>	<p>Material has either been classified or is pre-classified under the Waste Classification Guidelines.</p> <p>Offsite disposal of material is limited. Records indicate that auditees understand that wastes are being directed to facilities lawfully permitted to receive it.</p> <p>The following records were provided from the Contractors:</p> <ul style="list-style-type: none"> - Georgiou - Recycling and General Waste Register current to Feb 2023. EPA License No. 20885 – located at Aussie Skips Recycling Strathfield South. - Martinus - Sighted Austip Recycling Report for Feb 2023 including quantities and type of wastes. EPA License NO. 21421 18/09 (yearly) located Riverstone. - BMD - Waste register up to date 9/3/2023. Fairfield Council EPL 57 13 and Brandown Cecil Park 12618. 121-2092 Stockpile register Rev 1, BMD up to 255 Stockpile under the current contract (Lot 100). - RCC - Stg 1 - PFAS soil classification reports (ENV01-06), Ground Technologies 14/1/2021. Waste register and waste reports from Orange Bins for Jan and Feb 2023 were presented. However, it was noted that waste register and associated waste tracking reports from Orange Bins did not include the EPL of the waste facilities where the waste material was taken to – Observation. - RCC Stg 2 – Recycling report Feb 2023 from Garbage Guts Skip Bins. EPL facility license numbers for: Blacktown Waste Services: 11497; Cobra Waste Solutions: 21011; and Bingo Industries: 13426. 27/5/2022 PFAS soil classification reports from GT. 	Compliant
B181	All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.	<p>Interview with auditees 15/03/2023</p> <p>Georgiou - Recycling and General Waste Register current to Feb 2023.</p> <p>EPA License No. 2085</p> <p>Martinus - Sighted Austip Recycling Report for Feb 2023. EPA License NO. 21421 18/09</p>	<p>Material has either been classified or is pre-classified under the Waste Classification Guidelines.</p> <p>Offsite disposal of material is limited. Records indicate that auditees understand that wastes are being directed to facilities lawfully permitted to receive it.</p> <p>The following records were provided from the Contractors:</p> <ul style="list-style-type: none"> - Georgiou - Recycling and General Waste Register current to Feb 2023. EPA License No. 20885 – located at Aussie Skips Recycling Strathfield South. 	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<p>BMD - Waste register up to date 9/3/2023. Fairfield Council EPL 57 13 and Brandown Cecil Park 12618. 121-2092</p> <p>Stockpile register Rev 1, BMD (Lot 100).</p> <p>RCC - Stg 1 - Waste register and waste reports from Orange Bins Jan and Feb 2023.</p> <p>PFAS soil classification reports (ENV01-06), Ground Technologies 14/1/2021</p> <p>Stg 2 – Recycling report Feb 2023 from Garbage Guts Skip Bins. EPL facility license numbers for: Blacktown Waste Services: 11497; Cobra Waste Solutions: 21011; and Bingo Industries: 13426</p> <p>27/5/2022 PFAS soil classification reports from GT</p>	<p>- Martinus - Sighted Austip Recycling Report for Feb 2023 including quantities and type of wastes. EPA License NO. 21421 18/09 (yearly) located Riverstone.</p> <p>- BMD - Waste register up to date 9/3/2023. Fairfield Council EPL 57 13 and Brandown Cecil Park 12618. 121-2092 Stockpile register Rev 1, BMD up to 255 Stockpile under the current contract (Lot 100).</p> <p>- RCC - Stg 1 - PFAS soil classification reports (ENV01-06), Ground Technologies 14/1/2021. Waste register and waste reports from Orange Bins Jan and Feb 2023 were presented. However, it was noted that the facility licenses were included in the waste tracking reports.</p> <p>- RCC Stg 2 – Recycling report Feb 2023 from Garbage Guts Skip Bins. EPL facility license numbers for: Blacktown Waste Services: 11497; Cobra Waste Solutions: 21011; and Bingo Industries: 13426. 27/5/2022 PFAS soil classification reports from GT.</p>	
B182	The Applicant must obtain agreement from Council for the design of the waste storage area for each warehouse where the waste collection service will be provided by Council.	Site inspection 10/3/2023	The project is in construction. Waste facilities are yet to be designed.	Not Triggered
B183	The OEMP required under Condition C5 must include measures for waste management in accordance with the waste hierarchy set out in the EPA's NSW Waste Avoidance and Resource Recovery Strategy 2014-2021.	Site inspection 10/3/2023	The project is currently in the construction phase.	Not Triggered
Construction and Operational Facilities				
Concrete Batching Plant				
B184	The concrete batching plants must comply with the following criteria: <ul style="list-style-type: none"> a) have a total production capacity less than 150 tonnes per day or 30,000 tonnes per year; b) only one concrete batching plant is to operate at any one time; and c) the first concrete batching plant must be disassembled immediately following commencement of operation of the second concrete batching plant. 	Site inspection 10/3/2023	There is no concrete batching.	Not Triggered
B185	<ul style="list-style-type: none"> a) a drawing showing the location and layout of the two concrete batching plants including facilities for cementitious water treatment and connections to construction site water management and erosion and sediment control structures; b) mitigation, monitoring and management procedures specific to the concrete batching plants that would be implemented to minimise environmental and amenity impacts during both facility establishment and operation; and c) timeframes for establishment of each of the batching plants. 	Site inspection 10/3/2023	There is no concrete batching.	Not Triggered
Crushing Plant				
B186	The CEMP required under Condition C2 must include mitigation, monitoring and management procedures specific to the crushing plant that would be implemented to minimise environmental and amenity impacts.	Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 17/12/2021 (Rev. 16)	Section 4.5 and 4.6 of the CNVMP.	Compliant
Container Wash Down Facility				
B187	The container wash down facility must: <ul style="list-style-type: none"> a) include bunding to exclude wash area waste from the stormwater system; b) be designed and operated to avoid overspray from foams, detergents, mud or fugitive emissions outside wash down bays; 	Site inspection 10/3/2023	The project is currently in the construction phase.	Not Triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	<ul style="list-style-type: none"> c) include oily water separation, water treatment and recycling; and d) comply with Sydney Water trade waste requirements for discharge to the sewer. 			
Operation of Plant and Equipment				
B188	<p>All plant and equipment used on site, or to monitor the performance of the development must be:</p> <ul style="list-style-type: none"> a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner. 	<p>Georgiou Records:</p> <ul style="list-style-type: none"> - Beakon system - Daily Pre-start site wide sighted for 10/3/2023 - MB003 inspected 6/12/2022 - Plant / Equipment weekly Pre-start checklist for 10/12/2022 Unit NDH181 (Bobcat 627G) <p>Martinus Records:</p> <ul style="list-style-type: none"> - Project Plant Register up to 26/2/2023; sighted data for Bobcat 650 date on site 4/1/2023 pre-acceptance #5055, VOC - Plant risk assessment in place for Bob Cat 01/12/2022 <p>BMD Records:</p> <ul style="list-style-type: none"> - Plant assessor system used – sighted a pre start checklist Volvo Excavator 20tonne last risk assessment 24/2/23, last used 10/3/2023. - New system Beakon has been implemented from Dec 2022, sighted record for 16/2/2023. - Excavator pre-start plant checklist 5.5 Case Unit 2 – 8/3/2023 <p>RCC Records:</p> <p><u>Stage 1:</u></p> <ul style="list-style-type: none"> - Hammertech plant inspection register (online), sighted telehandler 25/2/2022, last maintenance routine record 12/1/2022. No maintenance has been carried out in 2023. - Watercart 9/3/2023, plant service record 14/1/2023. - Forklift No. JCB5A41RPA24556 Maintenance Plan dated 21/12/2022 <p><u>Stage 2:</u></p> <ul style="list-style-type: none"> - Tenacity Crane Truck – 15/2/2023, last service 2/1/2023. - Daily shift safety check 5/3/2023 for the forklift. 	<p>Evidence demonstrates that the plant and equipment on site are checked and maintained. Operators are properly trained and ticketed.</p> <p>Refer to records provided by Georgiou, Martinus, BMD and RCC for Stage 1 and Stage2.</p> <p>Note for RCC: Hammertech plant inspection register (online) shows a maintenance routine record dated 12/1/2022 for the Telehandler. No maintenance has been carried out in 2023 yet.</p>	Compliant
Bushfire Risk Management				
B189	<p>Bushfire asset protection zones must not be within the riparian corridor as defined in Condition B2 other than within areas greater than 40m from top of bank as determined in accordance with condition B2 where evidence is provided to the satisfaction of the Planning Secretary that riparian vegetation, and any trees over 3 m in height, will be retained.</p>	<p>Bushfire Risk Management Plan, SIMTA, 17/03/21 (Rev. E)</p> <p>Georgiou:</p>	<p>The Bushfire Risk Management Plan identifies the location of the APZ (Figure 3-3). It is not within the riparian zone. Bushfire risk is communicated to the workforce. No issues identified by the auditees.</p>	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<ul style="list-style-type: none"> - Georgiou Project induction, current to 18/11/2022 slide 48 emergency response - Toolbox talk, 25/02/22 <p>Martinus:</p> <ul style="list-style-type: none"> - Site Specific Induction dated March 2023, emergency procedure slides 22, 23 and 24. <p>BMD:</p> <ul style="list-style-type: none"> - Induction includes slide (100) on bushfires, some toolbox talks about surrounding fires. - Daily activities board includes weather risks. <p>RCC:</p> <ul style="list-style-type: none"> - Site induction covers the emergency procedures slide 25-27. 		
B190	The entire site must be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of the <i>Planning for Bush Fire Protection</i> (RFS, 2006) and the NSW Rural Fire Service's document <i>Standards for asset protection zones</i> .	<p>Bushfire Risk Management Plan, SIMTA, 17/03/21 (Rev. E)</p> <p>Georgiou:</p> <ul style="list-style-type: none"> - Georgiou Project induction, current to 18/11/2022 slide 48 emergency response - Toolbox talk, 25/02/22 <p>Martinus:</p> <ul style="list-style-type: none"> - Site Specific Induction dated March 2023, emergency procedure slides 22, 23 and 24. <p>BMD:</p> <ul style="list-style-type: none"> - Induction includes slide (100) on bushfires, some toolbox talks about surrounding fires. <p>RCC:</p> <ul style="list-style-type: none"> - Site induction covers the emergency procedures slide 25-27. 	<p>Section 3.2.2 of the Bushfire Risk Management Plan identifies the IPA and requirements to be carried over into the operational landscape management plan.</p> <p>Bushfire risk is communicated to the workforce. No issues identified by the auditees.</p>	Compliant
B191	An updated Bushfire Risk Management Plan must be prepared by a suitably qualified person(s) demonstrating that the bushfire asset protection zones can be contained wholly within the development area and that management of the inner protection zone will not impact on the proposed Biodiversity Offset Area. The Bushfire Risk Management Plan must be submitted to the Planning Secretary prior to construction of permanent built surface works.	<p>Bushfire Risk Management Plan, SIMTA, 17/03/21 (Rev. E)</p> <p>DPIE post approval portal lodgement, 18/12/19</p>	<p>The Bushfire Risk Management Plan identifies the location of the APZ and IPAs and they do not impact the Offset Area.</p> <p>Bushfire risk is communicated to the workforce. No issues identified by the auditees.</p>	Compliant
B192	Public road access must comply with section 4.1.3(1) of <i>Planning for Bush Fire Protection</i> (RFS, 2006) except for the requirement for through-access.	Bushfire Risk Management Plan, SIMTA, 17/03/21 (Rev. E)	<p>These designs are within Section 3 of the Bushfire Risk Management Plan.</p> <p>Bushfire risk is communicated to the workforce. No issues identified by the auditees.</p>	Compliant
B193	The provision of water, electricity and gas must comply with section 4.1.3 of <i>Planning for Bush Fire Protection</i> (RFS, 2006).	Bushfire Risk Management Plan, SIMTA, 17/03/21 (Rev. E)	<p>These designs are within Section 3 of the Bushfire Risk Management Plan.</p> <p>Bushfire risk is communicated to the workforce. No issues identified by the auditees.</p>	Compliant
Emergency Response				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B194	<p>Prior to the commencement of construction and operation, the Applicant must prepare an Emergency Response Plan(s) covering, but not limited to, flooding and bushfire. The Emergency Response Plan(s) must be consistent with <i>Australian Standard AS3745 2010 Planning for Emergencies in Facilities</i> and include details of:</p> <ul style="list-style-type: none"> a) assembly points and evacuation routes; b) evacuation and refuge protocols; and c) awareness training for employees and contractors. 	<p>Construction Emergency Response Plan, SIMTA, 29/06/21 (Rev. I)</p> <p>Georgiou:</p> <ul style="list-style-type: none"> - Georgiou Project induction, current to 18/11/2022 slide 48 emergency response - Toolbox talk, 25/02/22 - Emergency response review 3/3/2023 <p>Martinus:</p> <ul style="list-style-type: none"> - Site Specific Induction dated March 2023, emergency procedure slide 22, 23 and 24. - Emergency drill was carried out on the 13/1/2023 site evacuation. <p>BMD:</p> <ul style="list-style-type: none"> - Induction includes slide (100) on bushfires, some toolbox talks about surrounding fires. <p>RCC:</p> <ul style="list-style-type: none"> - Site induction covers the emergency procedures slide 25-27. - Emergency drill was carried out for: Stage 1 on the 18/2/2023 and Stage 2 on the 14/12/2022. 	<p>The CERP was prepared and addresses the information from this condition. The ER confirms its adequacy.</p> <p>Drills have been conducted for MPW2 for a fire and for flooding, however the drill requirements are relevant to all types of events (including floods).</p>	Compliant
B195	<p>The Bushfire Emergency and Evacuation Management Plan must:</p> <ul style="list-style-type: none"> i. be prepared by a suitably qualified and experienced person(s), ii. be consistent with the Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan (RFS, 2014); and iii. a copy of the Operational Bushfire Emergency Evacuation Management Plan must be submitted to the Planning Secretary, NSW Rural Fire Service, Council and the Certifying Authority prior to occupation. 	<p>Bushfire Risk Management Plan, SIMTA, 17/03/21 (Rev. E)</p> <p>DPIE post approval lodgement 24/04/20</p>	<p>The Bushfire Risk Management Plan was prepared in accordance with i and ii.</p> <p>It covers construction related aspects. An operational plan will be prepared and submitted prior to commencement of operations.</p>	Not Triggered
Tenancy Activities				
B196	<p>Prior to occupancy of any freight village or warehouse tenancy, and every subsequent occupation of these tenancies, details of the tenant and occupation activity is to be submitted to the Planning Secretary demonstrating that the proposed activity complies with Conditions A17 and A20.</p>	<p>Site inspection 10/03/2023</p>	<p>The project is in construction</p>	Not Triggered
Part C – Environmental Management, Reporting and Auditing				
Environmental Management				
Management Plan Requirements				
C1	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <ul style="list-style-type: none"> a) detailed baseline data; b) details of: <ul style="list-style-type: none"> i. the relevant statutory requirements (including any relevant approval, licence or lease conditions); ii. any relevant limits or performance measures and criteria; and iii. the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; d) a program to monitor and report on the: 	<p>Construction Environmental Management Plan (CEMP) Moorebank Precinct West Stage 2, SIMTA, 1/12/2021</p> <p>Letter DPIE to Aspect, 18/3/2022</p> <p>Construction Soil and Water Management Plan (SWMP) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev 18, 31/11/2021</p> <p>Letter DPIE to Aspect, 18/3/2022</p>	<p>The CEMP and associated sub-plans form a suite of documents that when combined address all the requirements of this condition.</p> <p>The Department approved the CEMP, the SWMP, the ASSMP, the CTAMP, the CNVMP, and the CMP prior to commencement of construction.</p> <p>The following plans were updated during December 2021:</p> <ul style="list-style-type: none"> - CEMP Rev. Q dated 2/12/2021 	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	<ul style="list-style-type: none"> i. impacts and environmental performance of the development; ii. effectiveness of the management measures set out pursuant to paragraph (c) above; e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible; f) a program to investigate and implement ways to improve the environmental performance of the development over time; g) a protocol for managing and reporting any: <ul style="list-style-type: none"> i. incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria); ii. complaint; iii. failure to comply with statutory requirements; h) roles and responsibilities for implementing the plan; and i) a protocol for periodic review of the plan. <p>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</p>	<p>Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct West Stage 2, SIMTA, 27/7/2021 (website version 14/09/2021)</p> <p>Letter DPIE to SIMTA, 24/09/2021</p> <p>Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 17/12/2021</p> <p>Letter DPIE to Aspect, 18/3/2022</p> <p>Construction Flora and Fauna Management Plan (CFFMP) Moorebank Precinct West Stage 2, SIMTA, 2/12/2021</p> <p>Letter DPIE to Aspect, 18/3/2022</p> <p>Acid Sulfate Soil Management Plan (ASSMP) Moorebank Precinct West Site, 400 Moorebank Avenue, Moorebank NSW, EP Risk, 30/01/2020</p> <p>Letter DPIE to SIMTA, 21/02/2020</p> <p>Contamination Management Plan (CMP) Moorebank Precinct West, EP Risk, 30/07/20</p> <p>Letter DPIE to SIMTA, 23/10/20</p>	<ul style="list-style-type: none"> - CSWMP Rev.18 dated 12/11/2021 - CNVMP Rev. 16b dated 12/12/2021 - FFMP Rev. N dated 2/12/2021 <p>Submitted to the DPE 17/12/2021 and approved on the 18/3/2022. Sighted approval letter from DPE to Aspect dated 18/3/2021.</p> <p>Additionally, the CTAMP was revised in July 2021.</p> <ul style="list-style-type: none"> - CTAMP Rev. M dated 27/7/2021 approved 24/9/2021 from DPE to Qube <p>CEMP was revised in December 2022, and it is in the process of been approved. Some updates include changes in the ECMs, unexpected finds protocols, and figures. Revised CEMP was submitted to DPE on the 9/12/22.</p>	
Construction Environmental Management Plan				
C2	The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and submit it to the Planning Secretary for approval.	<p>Letter DPIE to SIMTA, 23/01/20</p> <p>Construction Environmental Management Plan (CEMP) Moorebank Precinct West Stage 2, SIMTA, 14/01/20, 10/08/21 and 2/12/2021</p>	<p>The Department approved the CEMP on 23/01/20 and the updated CEMP in late 2021.</p> <p>The CEMP Rev. Q dated 2/12/2021, submitted to the DPE 17/12/2021 and approved on the 18/3/2022. Sighted approval letter from DPE to Aspect dated 18/3/2021.</p> <p>CEMP was revised in December 2022, and it is in the process of been approved. Some updates include changes in the ECMs, unexpected finds protocols, and figures. Revised CEMP was submitted to DPE on the 9/12/22.</p>	Compliant
C3	<p>As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following:</p> <ul style="list-style-type: none"> a) Soil and Water Management Plan (see Condition B29); b) Acid Sulfate Soils Management Plan (see Condition B39); c) Construction Traffic and Access Management Plan (see Condition B113); d) Construction Noise and Vibration Management Plan (see Condition B134); e) Out-of-hours Work Protocol (see Condition B135(g)); f) Construction Flora and Fauna Management Plan (see Condition B154); and g) Unexpected Finds Protocol(s) (see Condition B175). 	<p>Construction Environmental Management Plan (CEMP) Moorebank Precinct West Stage 2, SIMTA, 1/12/2021</p> <p>Letter DPIE to Aspect, 18/3/2022</p> <p>Construction Soil and Water Management Plan (SWMP) SSD 7709 Moorebank Logistic Park Precinct West, Costin Roe, Rev 18, 31/11/2021</p> <p>Letter DPIE to Aspect, 18/3/2022</p> <p>Construction Traffic and Access Management Plan (CTAMP) Moorebank</p>	<p>Each of the documents listed were prepared in accordance with the conditions listed and approved by the Department prior to commencement of construction.</p> <p>Updates to the CEMP and sub-plans were made during 2021 to cater for MOD-2 and to capture MPW3. These were approved by the Department on</p> <p>The following plans were updated during December 2021:</p> <ul style="list-style-type: none"> - CEMP Rev. Q dated 2/12/2021 - CSWMP Rev.18 dated 12/11/2021 - CNVMP Rev. 16b dated 12/12/2021 	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<p>Precinct West Stage 2, SIMTA, 27/7/2021 (website version 14/09/2021)</p> <p>Letter DPIE to SIMTA, 24/09/2021</p> <p>Moorebank Precinct West Stage 2 Construction Noise and Vibration Management Plan (CNVMP), Renzo Tonin, 17/12/2021</p> <p>Letter DPIE to Aspect, 18/3/2022</p> <p>Construction Flora and Fauna Management Plan (CFFMP) Moorebank Precinct West Stage 2, SIMTA, 2/12/2021</p> <p>Letter DPIE to Aspect, 18/3/2022</p> <p>Acid Sulfate Soil Management Plan (ASSMP) Moorebank Precinct West Site, 400 Moorebank Avenue, Moorebank NSW, EP Risk, 30/01/2020</p> <p>Letter DPIE to SIMTA, 21/02/2020</p> <p>Contamination Management Plan (CMP) Moorebank Precinct West, EP Risk, 30/07/20</p> <p>Letter DPIE to SIMTA, 23/10/20</p>	<p>- FFMP Rev. N dated 2/12/2021</p> <p>Submitted to the DPE 17/12/2021 and approved on the 18/3/2022. Sighted approval letter from DPE to Aspect dated 18/3/2021.</p> <p>Additionally, the CTAMP was revised in July 2021.</p> <p>CTAMP Rev. M dated 27/7/2021 approved 24/9/2021 from DPE to Qube</p> <p>CEMP was revised in December 2022, and it is in the process of been approved. Some updates include changes in the ECMs, unexpected finds protocols, and figures. Revised CEMP was submitted to DPE on the 9/12/22.</p>	
C4	<p>The Applicant must:</p> <p>c) not commence construction of the development until the CEMP is approved by the Planning Secretary; and</p> <p>d) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.</p>	<p>Letter DPIE to SIMTA, 23/01/20</p> <p>Evidence referred to elsewhere in this Audit Table and Appendix B</p> <p>Interview with auditees 20/03/2023</p>	<p>The Department approved the CEMP on 23/01/2020. Construction commenced 02/12/20.</p> <p>CEMP was updated during December 2021, CEMP Rev. Q dated 2/12/2021 approved 18/3/2021.</p> <p>Evidence indicates that construction is being carried out in accordance with the CEMP and Sub-plans.</p> <p>CEMP section 4.2.2 requires inspections to be carried out weekly by the contractors. Additionally, rainfall and pre-shutdown inspections are to be undertaken by the contractors and inspection report/log maintained. The following evidence was sighted:</p> <p><u>Georgiou</u></p> <p>Beakon weekly inspection register (online). Sighted records in the system for:</p> <ul style="list-style-type: none"> - Environmental inspection (weekly) 29/11/2022 DHI-ENV-2407, all observations have been closed 9/1/2023 - Site inspection covering the boundary flagging DHI-ENV_2295 14/10/2022 for ring road 1520-850 - ERS_300 inspection 31/1/2023 - Post rainfall inspections: 19/1/2023 - Prior rain event: 18/10/2022, comments closed out 31/10/2022 <p><u>Martinus</u></p>	Non-Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
			<p>Weekly site inspections are carried out, records kept in Procure system sighted for:</p> <ul style="list-style-type: none"> - MR-1134-004 8/8/2022 stockpile management, water management, boundaries, etc. - MR-EF-017 18/7/2022 (52mm rain event) pre-wet weather event inspection. - MR-WF-032 11/11/2022 pre-increment weather inspection, excavation works. <p><u>BMD</u></p> <ul style="list-style-type: none"> - Daily inspection 21/4/2022, 23/01/2023. - During wet weather event checklist 14/11/2022 (31.5mm over the weekend) post rain event. - Pre wet weather event checklist 4/10/2022 - Weekly inspection carried out 2/2/203 WHSE 658 - Aerial photo 1/3/2023 <p><u>RCC</u> Hammertech inspection register (online)</p> <p>Stage 1:</p> <ul style="list-style-type: none"> - Weekly inspection records Feb 2023, site inspection 10/03/2023 - Post wet weather inspection reports 11/10/2022, 23/2/2023 <p>Stage 2:</p> <ul style="list-style-type: none"> - 6/3/2023 weekly environmental inspection - 14/2/2023 dewatering - Post wet weather inspection 10/10/2022 - No inspection was carried out after a rain event 23/2/23. <p>Non-compliance: RCC (Stage 2 site) did not undertake inspections on a weekly basis as required by the CEMP section 4.2.2 (page 76). No records of site inspections were sighted after the rain event recorded on the 23/2/2023 by RCC.</p> <p>Recommendation for RCC to undertake site inspections on a weekly basis and immediately following rainfall events in excess of 10mm in any 24-hour period and record them as per the CEMP and sub-plan requirements.</p>	
Operational Environmental Management Plan				
C5	The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition C1 and submit it to the Planning Secretary for approval.	Interview with auditees 20/03/2023	The project is currently in the construction phase.	Not Triggered
C6	As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following:	Interview with auditees 20/03/2023	The project is currently in the construction phase.	Not Triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; b) describe the procedures that would be implemented to: <ol style="list-style-type: none"> i. keep the local community and relevant agencies informed about the operation and environmental performance of the development; ii. receive, handle, respond to, and record complaints; iii. resolve any disputes that may arise; iv. respond to any non-compliance; v. respond to emergencies; and c) include the following environmental management plans: <ol style="list-style-type: none"> i. Operational Traffic and Access Management Plan (see Condition B118); ii. Stormwater Infrastructure Operation and Maintenance Plan (see Condition B36); iii. Stormwater Quality Monitoring Program (see Condition B38); iv. Landscape Vegetation Management Plan (see Condition B82); v. Operational Traffic and Access Management Plan (see Condition B118); vi. Operational Noise Management Plan (see Condition B136); and vii. Operational Flora and Fauna Management Plan (see Condition B160). 			
C7	The Applicant must: <ol style="list-style-type: none"> a) not commence operation until the OEMP is approved by the Planning Secretary; and b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time). 	Interview with auditees 20/03/2023	The project is currently in the construction phase.	Not Triggered
Revision of Strategies, Plans and Programs				
C8	Within three months of: <ol style="list-style-type: none"> a) the submission of an incident report under Condition C10; b) the submission of an Independent Audit under Condition C17; c) the approval of any modification of the conditions of this consent; or d) the issue of a direction of the Planning Secretary under Condition A3(b) which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.	Incident RCC re. uncontrolled discharge of turbid water 26/7/2022 Notification Email to EPA and to DPE 28/7/2022. Incident Martinus re. elevated level of PFAS and turbidity 29/11/2022 Notification Email to EPA and DPE 29/11/2022. DPE post approval portal lodgement, 9/6/2022 (submission of Audit Report No. 2 and response to audit report) Notification of review of CEMP and sub-plans (DPIE Post Approval Portal Lodgement 26/7/2022) Notification of review of CEMP (DPIE Post Approval Portal Lodgement 8/9/2022) Modification 3 (MOD-3) 25/10/2022 from Willow Tree Planning	<ol style="list-style-type: none"> a) Two incidents under SSD 7709 were reported: one on the 26/7/2022 and another 29/11/2022 b) The second Independent Audit was completed on 10/5/2022 and submitted to DPE on 9/6/2022 c) Modification 3 dated 25/10/2022 was submitted by Willow Tree Planning to the DPE. The modification is related to amendments proposed to Condition B176A for the purposes of changes proposed to the quantities and classes of Dangerous Goods (DGs) throughout Warehouses 5 & 6. d) It is understood that there have been no directions have been received by the Department relating to reviews. 	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C9	<p>If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.</p> <p>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</p>	<p>Interview with auditees 20/03/2023</p> <p>Monthly meeting minutes 13/12/2022</p> <p>Submission of CEMP on the 9/12/22 and 11/12/2022.</p>	<p>CEMP was revised in December 2022, and it is in the process of been approved. Some updates include changes in the ECMs, unexpected finds protocols, and figures. Revised CEMP was submitted to DPE on the 9/12/22.</p> <p>Sighted monthly meeting minutes 13/12/2022 with attendance of DPE, Aspect, Logos and Qube representatives indicating that MPWS2 CEMP was submitted on the 9/12/22 and 11/12/2022.</p>	Compliant
Reporting and Auditing				
Incident Notification, Reporting and Response				
C10	<p>The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development) and set out the location and nature of the incident. Subsequent notification requirements must be given and reports submitted in accordance with the requirements set out in Appendix 3.</p>	<p>Interview with auditees 20/03/2023</p> <p>Incident RCC re. uncontrolled discharge of turbid water 26/7/2022</p> <p>Notification Email to EPA and to DPE 28/7/2022.</p> <p>Incident Investigation Report 23/8/2022</p> <p>Email from Aspect to DPE on the 24/8/2022.</p> <p>Incident Martinus re. elevated level of PFAS and turbidity 29/11/2022</p> <p>Notification Email to EPA and DPE 29/11/2022.</p>	<p>Two incidents under SSD 7709 were reported: one on the 26/7/2022 and another 29/11/2022.</p> <p><u>Incident 26/7/2022:</u></p> <p>Incident from RCC 26/7/2022 re. uncontrolled discharge of turbid water into the George River. Actions: inflows to the turkey's nest are now monitored and controlled to ensure inflows do not exceed treatment rate.</p> <p>The auditee indicated that this event was not considered a reportable incident and, therefore, it was not notified in accordance with this condition. After the DPE was informed of the event, it was requested to report it as an incident.</p> <p>Notification to EPA and to DPE dated 28/7/2022.</p> <p>Incident Investigation Report dated 23/8/2022 completed including all the relevant details as per Appendix 3 of the SSD. Submitted to DPE on the 24/8/2022.</p> <p><u>Incident 29/11/2022:</u></p> <p>Incident re. potential elevated level of PFAS (0.16mg/L (criteria 0.13mg/L) and turbidity 56ntu (criteria 25ntu) 29/11/2022.</p> <p>Notification to EPA and DPE 29/11/2022 (including incident investigation, as per Appendix 3).</p>	Compliant
Non-Compliance Notification				
C11	<p>The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.</p>	<p>Interview with auditees 20/03/2023</p> <p>Non-compliance 7/9/2022 re. failure of submission of SAR and SAS under B171</p> <p>Warning letter from DPE re. Breach on Condition B171 – 14/2/2023</p>	<p>B171e</p> <p>A non-compliance was identified on the 7/9/2022 for not submitting the SAR and SAS to the Department upon completion of importation and placement of fill and prior to construction of permanent built surface works on the Western Ring Road. The Department issued a warning letter for breach on Condition B171 on the 14/2/2023 and no further regulatory action in relation to the matter was taken.</p> <p>The non-compliance identified on the 7/9/2022 on condition B171 was not notified to the DPE, and therefore condition C11 is a non-compliance.</p>	Non-Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
			<p>The auditee indicated that the compliance report – included the non-compliance and that was how the project reported this.</p> <p><u>B32</u></p> <p>On 24 August 2022 the Department issued a warning letter for breach on Condition B32 (CPESC Report for April 2022 was submitted late, on 19 July 2022, which is 2.5 months after the inspection was carried out). The Department elected to not take further regulatory action in relation to the matter.</p> <p>A potential non-compliance on condition B32 was notified to DPE through the issue notice of short cause.</p> <p><u>B125</u></p> <p>Condition B125 was self-reported as a non-compliance from Logos to Department on the 20 February 2023 (sent via email) re. RCC conducting works outside of the approved construction hours and not following the OOHW protocol as per condition B172e. Response from the Department is yet to be received.</p>	
C12	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	<p>Interview with auditees 20/03/2023</p> <p>Warning letter from DPE re. breach on Condition B171 on the 14/2/2023</p> <p>Non-compliance identified on the 7/9/2022 on condition B171</p> <p>Warning letter from DPE re. breach on Condition B32, 24/08/2022</p> <p>Email from Aspect to DPE 20/2/2023 re. self-reporting potential non-compliance on condition B125</p>	<p><u>B171</u></p> <p>A non-compliance was identified on the 7/9/2022 for not submitting the SAR and SAS to the Department upon completion of importation and placement of fill and prior to construction of permanent built surface works on the Western Ring Road. The Department issued a warning letter for breach on Condition B171 on the 14/2/2023 and no further regulatory action in relation to the matter was taken.</p> <p>The non-compliance identified on the 7/9/2022 on condition B171 was not notified to the DPE in accordance with C12.</p> <p><u>B32</u></p> <p>On 24 August 2022 the Department issued a warning letter for breach on Condition B32 (CPESC Report for April 2022 was submitted late, on 19 July 2022, which is 2.5 months after the inspection was carried out). The Department elected to not take further regulatory action in relation to the matter.</p> <p>A notice to show cause was issued by the Department to LOGOS, after a review the CPESC reports and submission dates from the Department. Logos responded to the notice. Following that response to the notice, the Department issued a non-compliance against B32 with a due date for response.</p> <p><u>B125</u></p> <p>Condition B125 was self-reported as a non-compliance from Logos to Department on the 20 February 2023 (sent via email) re. RCC conducting works outside of the</p>	Non-Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
			<p>approved construction hours and not following the OOHW protocol as per condition B172e.</p> <p>The email from Aspect (as Logos Representative) to Department notifying the non-compliance on B125 included all the relevant details, as per this condition. Non-compliance notification for B125 was compliant.</p>	
C13	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	<p>Interview with auditees 20/03/2023</p> <p>Incident RCC re. uncontrolled discharge of turbid water 26/7/2022</p> <p>Notification Email to EPA and to DPE 28/7/2022.</p> <p>Incident Investigation Report 23/8/2022</p> <p>Email from Aspect to DPE on the 24/8/2022.</p> <p>Incident Martinus re. elevated level of PFAS and turbidity 29/11/2022</p> <p>Notification Email to EPA and DPE 29/11/2022.</p>	<p>Notifiable incidents were notified in accordance with C10 and Appendix 3.</p> <p>Refer to condition C10 for all the incident details.</p>	Compliant
Compliance Reporting				
C14	<p>No later than six weeks before the date notified for the commencement of construction and operation, a Construction Compliance Monitoring and Reporting Program and Operational Compliance Monitoring and Reporting Program respectively, prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.</p> <p>Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).</p> <p>The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.</p>	<p>Compliance Monitoring and Reporting Program, SIMTA, 15/01/20</p> <p>Moorebank Precinct West (SSD 7709) Stage 2: Construction Compliance Report - #2, June 2021 to Nov 2021, 9/5/2022</p> <p>DPE post approval portal lodgement, 9/5/2022 (lodgement of CCR2 to Department and notification of publication).</p> <p>Notification to DPE was done 9/5/2022 indicating that CCR2 will be published in May 2022.</p> <p>Notification to Certifier for CCR2 10/5/2022</p> <p>Moorebank Precinct West (SSD 7709) Stage 2: Construction Compliance Report - #3, December 2021 – May 2022, 6/9/2022</p> <p>DPE post approval portal lodgement, of CCR3 to Department and notification of publication, dated 19/9/2022.</p> <p>Notification to Certifier for CCR3 20/9/2022</p> <p>Moorebank Precinct West (SSD 7709) Stage 2: Construction Compliance Report - #4, June 2022 to Nov 2022, 11/01/2023</p> <p>DPE post approval portal lodgement, 1/2/2023 (lodgement of CCR4 to Department and notification of publication).</p>	<p>The CMRP and first CCR were prepared in accordance with the Departments CRPAR and submitted to the Department as per the specified timeframes. Both are available on the Project website.</p> <p>Evidence was presented for the following reports which were prepared, submitted and notified for publication in accordance with the condition. All the CCRs are available on the project website.</p> <ul style="list-style-type: none"> - CCR2: June 2021 to November 2021, dated 9/5/2022. Lodgement of CCR2 to Department and notification of publication 9/5/22. Notification to Certifier for CCR2 10/5/2022. - CCR3: December 2021 – May 2022, dated 6/9/2022. Lodgement of CCR3 to Department and notification of publication 9/5/22. Notification to Certifier for CCR3 20/9/2022. - CCR4: June 2022 to November 2022, dated 11/01/2023. Lodgement of CCR4 to Department and notification of publication 1/2/2023. Notification to Certifier for CCR4 24/3/2023. 	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Notification to DPE was done 1/2/2023 indicating that CCR4 will be published in May 2022. Notification to Certifier CCR4 24/3/2023		
C15	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	Site inspection 10/03/2023	The project is currently in the construction phase.	Not Triggered
Independent Environmental Audit				
C16	No later one month before the date notified for the commencement of construction and operation, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	Moorebank Park West Stage 2 – SSD 7709 Independent Audit Program, Rev 2, WolfPeak, 18/11/19 Email Certifier to SIMTA, 10/02/20 (Audit Program) Post Approval Portal Snapshot 21/02/20	The Audit Program was prepared in accordance with the IAPAR. Evidence shows that it was submitted to the Certifier and DPIE prior to construction.	Compliant
C17	Independent Audits of the development must be carried out in accordance with: a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C16 of this consent; and b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	Letter DPIE to Aspect, 30/01/2023 approval of additional auditors Letter WolfPeak to Aspect 20/12/2022 request for additional auditors Moorebank Park West Stage 2 – SSD 7709 Independent Audit Program, Rev 2, WolfPeak, 18/11/19 Independent Audit Report Moorebank Intermodal Precinct West Stage 2 – SSD 7709, WolfPeak, 10/05/2022	Additional auditors for MPWS2 were approved on 30/01/2023. WolfPeak letter dated 20/12/2022. This audit was conducted in accordance with the IAPAR and the Audit Program. The Department did not provide any comment on the second Independent Audit Report.	Compliant
C18	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: a) review and respond to each Independent Audit Report prepared under Condition C17 of this consent; b) submit the response to the Department and the Certifying Authority; and c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.	Independent Audit Report Moorebank Intermodal Precinct West Stage 2 – SSD 7709, WolfPeak, 10/5/2022 Aspect Response to Audit Report Moorebank Intermodal Precinct West Stage 2 – SSD 7709, 7/06/2022 DPE post approval portal lodgement, 9/6/2022 (submission of Audit Report No. 2 and response to report) Letter dated 7/6/2022 from Aspect to DPE notifying audit report (IA2) and response to report will be published in the project website. Email to Certifier, 9/6/2022 (submission of Audit Report Response (No2))	The second Audit Report (IA2) and the response was provided to the identified stakeholders. Publication was also notified. Both the Audit Report and the Response to Audit Report (IA2) are on the Project website.	Compliant
C19	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.	Site inspection 10/03/2023	The project is currently in the construction phase.	Not Triggered
Monitoring and Environmental Audits				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C20	<p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.</p> <p>Note: For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</p>	<p>Dust deposition results from ALS Environmental, from April to December 2022.</p> <p>Certificate of Analysis (Discharge water monitoring report) from JBS&G, 22/2/2023</p> <p>Discharge Certificate of Analysis 317103 dated 22/2/2023 for 62668 discharge point sampling from EnviroLab Group.</p> <p>Independent Audit Report Moorebank Intermodal Precinct West Stage 2 – SSD 7709, WolfPeak, 10/5/2022</p>	<p>The monitoring reports and records sighted (dust, noise, asbestos, water), indicate that the relevant and current standards are being applied and quality assurance / quality control processes are being implemented.</p> <p>The second audit have been conducted in accordance with ISO 19011 and the IAPAR.</p>	Compliant
Access to Information				
C21	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must:</p> <p>a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ol style="list-style-type: none"> i. the documents referred to in Condition A3 of this consent and the final, approved revised Development Layout Drawings, Stormwater Design Drawings, Landscape Drawings and Architectural Drawings for the development; ii. all current statutory approvals for the development; iii. all approved strategies, plans and programs required under the conditions of this consent; iv. the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; v. minutes of CCC meetings; vi. regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent; vii. a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; viii. a summary of the current stage and progress of the development; ix. contact details to enquire about the development or to make a complaint; x. a complaints register, updated monthly; xi. the Compliance Reporting of the development; xii. audit reports prepared as part of any Independent Audit of the development and the Applicant’s response to the recommendations in any audit report; xiii. any other matter required by the Planning Secretary; and <p>b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>	<p>https://simta.com.au/mpw/</p> <p>https://simta.com.au/project-wide/</p> <p>https://simta.com.au/category/current-works/</p> <p>https://simta.com.au/contact-us/</p> <p>https://simta.com.au/newsletter/</p>	<p>The Project website contains:</p> <ol style="list-style-type: none"> a)i) The EIS, and associated information including the approved drawings and plans. a)ii) The SSD and EPBC Act approval: a)iii) Each of the approved strategies plans and programs (CCS, CEMP and sub-plans, LTEMP, CMP). a)iv) There is no staging a)v) Minutes of the CCC meetings a)vi) and vii) CCR is posted (#3 Dec 2021 to May 2022). Summary of monitoring results (annual) for 2020 and 2021 published. For the 2022 period it will be published around April 2023 (currently been reviewed). a)viii) Project works updates a)ix) Contact details a)x) Complaints register (under project-wide documents) a)xi) Compliance Reports posted a)xii) Second audit report (IA2) and response published a)xiii) It is understood there have been no other directions from the Department b) The information appears to be up to date. 	Compliant



APPENDIX B – PLANNING SECRETARY AGREEMENT OF INDEPENDENT AUDITORS



Department of Planning and Environment



Aspect Environmental Pty Ltd
SUITE 117 25-27 Solent Circuit
Norwest Business Park
Baulkham Hills NSW 2153

30/01/2023

Attention: [REDACTED] Director

Dear [REDACTED]

Moorebank Precinct West Stage 2 – SSD-7709 Additional IEA team member nomination

I refer to your request (**SSD-7709-PA-193**) for the Planning Secretary to approval the inclusion of additional auditors to the audit team from WolfPeak Pty Ltd (**WolfPeak**) that was previously approved on 17 April 2020 to undertake the 2020 Independent Environmental Audit for Moorebank Precinct West Stage 2 (**project**) pursuant to SSD 7709 (**Consent**).

The Department of Planning and Environment (**department**) has reviewed the additional nominations and information you have provided and is satisfied that the additional experts are suitably qualified, independent and experienced.

Consequently, the department supports the inclusion of Ana Maria Munoz and Annabelle Tungol as Lead Environmental Auditors to the approved audit team from WolfPeak to undertake the 2023 audit and prepare the audit report.

The department also notes the request to remove [REDACTED] and [REDACTED] from the approved audit team.

In accordance with Conditions C16 to C19 of the Consent and the Independent Audit Post Approval Requirements (Department 2018) (**IAPAR**), as nominee of the Planning Secretary, I approve the appointment of the following audit team from WolfPeak to undertake independent environmental audit:

- [REDACTED] Auditor/Alternate Lead Auditor
- [REDACTED] – Auditor/Alternate Lead Auditor
- [REDACTED] Auditor/Alternate Lead Auditor

Please ensure this correspondence is appended to the Independent Environmental Audit Report. The Independent Environmental Audit must be prepared, undertaken and finalised in

Department of Planning and Environment

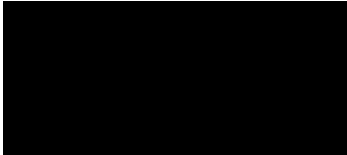
accordance with Conditions C16 to C19 and the IAPAR. Failure to meet these requirements will require revision and resubmission.

The department reserves the right to request an alternate auditor or audit team for future audits. Further, the department note that some of the Exemplar Global certifications for the above auditors will expire before the final audit for this project has been completed. Please note that this approval of the above audit team is conditional upon them maintaining certification as a lead or principal auditor with a relevant industry body.

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.

Should you wish to discuss the matter further, please contact [REDACTED] on [REDACTED] or compliance@planning.nsw.gov.au

Yours sincerely



Team Leader Compliance Metro
As nominee of the Planning Secretary



APPENDIX C – CONSULTATION RECORDS



Consultation with DPE

From: [REDACTED]
Sent: Monday, 27 February 2023 4:40 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Moorebank Intermodal Precinct West - Stage 2 - Independent Audit No.3

Dear Ana,

Thank you for contacting me regarding consultation for the 3rd IEA for MPW S2 – SSD 7709 in accordance with the Consent and s3.2 of the IAPAR (2020).

Apart from what is captured by s3.3 of the IAPAR, the Department requests the following key issues be included in the scope of the IEA:

- 1) Hours of construction,
- 2) Out of hours work,
- 3) ERSED controls,
- 4) Control of waste and rubbish,
- 5) Water discharge water quality, and
- 6) Works requiring a Site Audit Statement/Site Audit Report.

If you have not already, the department recommends that you consult with the NSW Environment Protection Authority.

Regards,

[REDACTED]
Senior Compliance Officer

Planning & Assessment | Department of Planning and Environment
T 02 8837 6395 | [REDACTED] [REDACTED]
Locked Bag 5022 | PARRAMATTA NSW 2124
www.dpie.nsw.gov.au



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

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

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



From: [REDACTED]
Sent: Friday, 24 February 2023 5:09 PM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>; [REDACTED]
Cc: [REDACTED]
Subject: Moorebank Intermodal Precinct West - Stage 2 - Independent Audit No.3

Dear Sir/Madam,

I am one of the Department of Planning and Environment (the Department) approved independent auditors on Moorebank Intermodal Precinct West – Stage 2, SSD 7709 (the Project).

I am currently preparing to undertake the third independent audit (IA3) of the Project. The audit is required to be conducted in accordance with SSD7709 conditions C17, and the Department’s 2020 *Independent Audits Post Approval Requirements* (or IAPAR).

The Approval is available at the following link: <https://www.planningportal.nsw.gov.au/major-projects/projects/moorebank-intermodal-precinct-west-stage-2>

The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Assess-and-regulate/About-Compliance/independent-audit-post-approval-requirements-2020-05-19.pdf>

The site audit is planned to take place on the **10 of March 2023**. The audit pertains to post-approval requirements and compliance.

In accordance with Section 3.2 of the IAPAR, I am consulting with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, 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 Department confirm:

- If it has any key issues, it would like examined, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR, or
- If it recommends that other parties or agencies are to be consulted. If so, I request that the Department identify those parties.

Please let me know if you have any questions. I look forward to hearing from you.

Kind regards,

[REDACTED]

Principal Auditor – Risk, Audit & Compliance



E [REDACTED]
M [REDACTED]

P: 1800 979 716

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





Consultation with EPA

From: [REDACTED]
Sent: Monday, 27 February 2023 4:52 PM
To: info@epa.nsw.gov.au; info@environment.nsw.gov.au
Cc: [REDACTED]
Subject: Moorebank Intermodal Precinct West - Stage 2 - Independent Audit No.3

Dear Sir/Madam,

I am one of the Department of Planning and Environment (the Department) approved independent auditors on Moorebank Intermodal Precinct West – Stage 2, SSD 7709 (the Project).

I am currently preparing to undertake the third independent audit (IA3) of the Project. The audit is required to be conducted in accordance with SSD7709 conditions C17, and the Department's 2020 *Independent Audits Post Approval Requirements* (or IAPAR).

The Approval is available at the following link: <https://www.planningportal.nsw.gov.au/major-projects/projects/moorebank-intermodal-precinct-west-stage-2>

The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Assess-and-regulate/About-Compliance/independent-audit-post-approval-requirements-2020-05-19.pdf>

The site audit is planned to take place on the **10 of March 2023**. The audit pertains to post-approval requirements and compliance.

The Department has requested consultation with the NSW EPA on the scope of the audit. We kindly request your input on any key issues relating to post-approval requirements and compliance, any concerns in relation to the project construction activities and how they have impacted the environment, or any specific areas where you would like us to focus during the audit that are not already called up by the scope in Section 3.3 of the IAPAR.

Looking forward to hearing from you.

Kind regards,

[REDACTED]

Principal Auditor – Risk, Audit & Compliance

E:
M:





APPENDIX D – ATTENDANCE SHEET



INDEPENDENT AUDIT MEETING ATTENDANCE RECORD

PROJECT (NAME AND APPROVAL NUMBER)		MPW 52 - SSD 7709	
LOCATION:		moorebank Ave (site), Moorebank.	
DATE/TIME (Opening Meeting):		DATE/TIME (Closing Meeting):	22/03/23 - 4pm
Lead Auditor:		Audit Scope:	SSD 7709
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE
			Opening Meeting Closing Meeting
[Redacted]	Lead Auditor	wolfPeak	[Redacted] Online
	Auditor	Worshiper	[Redacted]
	Env Consultant	Aspect	[Redacted] Online
	PE	RCC	[Redacted]
	PE	J. Wyndham Princ	[Redacted]
	ENV & SUST. MGR	MARTINUS AAL	[Redacted]
	Environmental Manager SENIOR PROJECT MANAGER Logos Env Rep	BMD BMD Aspect	[Redacted] Online



WolfPeak Pty Ltd | ABN 52 152 940 586

info@wolfpeak.com.au
 Sydney office | Suite 2, Level 10, 82 Elizabeth Street, Sydney NSW 2000
 Wauchope office | 17A High Street, Wauchope NSW 2446
 www.wolfpeak.com.au

INDEPENDENT AUDIT MEETING ATTENDANCE RECORD

PROJECT (NAME AND APPROVAL NUMBER)		MPW 52 - SSD 7709	
LOCATION:		moorebank Ave (site), Moorebank	
DATE/TIME (Opening Meeting):		DATE/TIME (Closing Meeting):	22/03/23 - 4pm
Lead Auditor:		Audit Scope:	SSD 7709
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE
			Opening Meeting Closing Meeting
[Redacted]	Envir Advisor	Geogin Group	[Redacted]
	Enviro officer	H	[Redacted]
	HSE Advisor	RCC	[Redacted] -
	Site Engineer	RCC	[Redacted] -
	Senior HSE	RCC	[Redacted] -



WolfPeak Pty Ltd | ABN 52 152 940 586

info@wolfpeak.com.au
 Sydney office | Suite 2, Level 10, 82 Elizabeth Street, Sydney NSW 2000
 Wauchope office | 17A High Street, Wauchope NSW 2446
 www.wolfpeak.com.au





APPENDIX E – SITE INSPECTION PHOTOGRAPHS








No.	Comment	Photograph
1	<p>Georgiou</p> <p>OSD Basin No.8 under construction</p>	
2	<p>Georgiou</p> <p>Silt fence in place next to the Georges River</p>	
3	<p>Georgiou</p> <p>OSD Basin No.6 with temporary diversion line</p>	

No.	Comment	Photograph
4	<p>Georgiou</p> <p>Dust suppression (water car) in use on internal road</p>	
5	<p>Georgiou</p> <p>OSD Basin No.5 close to final completion</p>	
6	<p>Richard Crookes Construction</p> <p>Warehouse No. 6 structure completed</p>	

No.	Comment	Photograph
7	<p>Richard Crookes Construction</p> <p>Erosion and sediment controls around the pits</p>	
8	<p>Richard Crookes Construction</p> <p>Process to submerge the pump into the basin whilst not letting the pump sink into the underlying sediment</p>	

No.	Comment	Photograph
9	<p>Richard Crookes Construction</p> <p>Silt fence installed at the site boundary</p> <p>Water gets pumped, when required.</p>	
10	<p>Richard Crookes Construction</p> <p>Stage 2 works</p>	

No.	Comment	Photograph
11	<p>Martinus</p> <p>Rail track fabrication</p>	
12	<p>Martinus</p> <p>Stockpile managed</p>	
13	<p>BMD</p> <p>Rumble grid in place, delineation, signage, and stockpile management well maintained</p>	

No.	Comment	Photograph
14	<p>BMD</p> <p>Asbestos monitor in place</p>	
15	<p>BMD</p> <p>Stockpile management</p>	
16	<p>BMD</p> <p>Basin maintained with suitable demarcation</p>	



APPENDIX F – DECLARATION FORMS



Declaration of Independence - Auditor

Project Name:	Moorebank Precinct West Stage 2
Consent Number:	SSD 7709
Description of Project:	<ul style="list-style-type: none"> Construction and 24/7 operation of an intermodal terminal (IMT) facility to support a container freight throughput volume of 500,000 twenty-foot equivalent units (TEUs) per annum Construction and 24/7 operation of a warehousing estate on the northern part of the site servicing the IMT facility Intersection upgrades on Moorebank Avenue Construction and operation of on-site detention basins, bioretention/ biofiltration systems and trunk stormwater drainage for the entire site. Construction works and temporary ancillary facilities.
Project Address:	Moorebank Avenue, Moorebank Lot 1 DP 1197707, Lot 100 DP 1049508, Lot 101 DP 1049508, Lot 2 DP 1197707, Part Lot 3 DP 1197707, Part Anzac Road and Moorebank Avenue public road reserves
Proponent:	Sydney Intermodal Terminal Alliance (SIMTA) as LOGOS
Title of audit	Independent Audit No 3
Date:	19 April 2023

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

Notes:

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

Name of Auditor:	[REDACTED]
Signature:	[REDACTED]
Qualification:	Master of Environmental Engineering Management [REDACTED]
Company:	WolfPeak Pty Ltd

Declaration of Independence - Auditor

Project Name:	Moorebank Precinct West Stage 2
Consent Number:	SSD 7709
Description of Project:	<ul style="list-style-type: none"> • Construction and 24/7 operation of an intermodal terminal (IMT) facility to support a container freight throughput volume of 500,000 twenty-foot equivalent units (TEUs) per annum • Construction and 24/7 operation of a warehousing estate on the northern part of the site servicing the IMT facility • Intersection upgrades on Moorebank Avenue • Construction and operation of on-site detention basins, bioretention/ biofiltration systems and trunk stormwater drainage for the entire site. • Construction works and temporary ancillary facilities.
Project Address:	Moorebank Avenue, Moorebank Lot 1 DP 1197707, Lot 100 DP 1049508, Lot 101 DP 1049508, Lot 2 DP 1197707, Part Lot 3 DP 1197707, Part Anzac Road and Moorebank Avenue public road reserves
Proponent:	Sydney Intermodal Terminal Alliance (SIMTA) as Qube Holdings Limited
Title of audit	Independent Audit No 3
Date:	14 April 2023

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

Notes:

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

Name of Auditor:	[REDACTED]
Signature:	[REDACTED]
Qualification:	Master of Engineering Management [REDACTED]
Company:	WolfPeak Pty Ltd