

# INDEPENDENT AUDIT NO. 3 – AUDIT REPORT



MOOREBANK PRECINCT WEST STAGE 3 (SSD 10431)

MARCH 2023

### Authorisation

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| 1.0      | 16/03/2023 | Draft report issue for comment                    |
| 2.0      | 23/03/2023 | Final report issue                                |
| 2.1      | 24/03/2023 | Final report (Amending comments on condition A42) |

**Report Name:** Independent Audit No. 3 – Audit Report, Moorebank Precinct West Stage 3 – SSD 10431

**Project No.:** 762

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## ABBREVIATIONS / GLOSSARY

| Abbreviation/Term | Description  |
|-------------------|--|
| CEMP              | Construction Environment Management Plan   |
| CoC               | Condition of Consent   |
| DPE or Department | Department of Planning and the Environment                                       |
| EIS               | Environmental Impact Statement   |
| EP&A Act          | <i>Environmental Planning and Assessment Act 1979 (NSW)</i>                      |
| IA                | Independent Audit  |
| IAPAR             | Independent Audit Post Approval Requirements                                     |
| the Project       | The Development as described in the EIS and approved under SSD 10431             |
| 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 3) project (MPW3, or the Project), is part of the Moorebank Precinct West (MPW) development which, in turn, is part of the broader Moorebank Logistics Park (MLP) development. The MLP development involves the construction and operation of intermodal freight terminal facilities at Moorebank in south-west Sydney, linked to Port Botany and the interstate rail network.

The 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, requiring a number of development consents over its duration. On 11 May 2021, the NSW Independent Planning Commission (the Commission or IPC) approved the development application for the MPW – Stage 3, SSD 10431 (MPW3), in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979* (the Act). LOGOS is the responsible body for developing and operating the Project.

This Audit Report presents the outcome of the third independent audit (IA3) under Stage 3 for the MPW located at Moorebank Avenue, Moorebank covering the period 17 August 2022 to 15 February 2023.

This IA3 was undertaken in accordance with the State Significant Development SSD-10431 Condition of Consent (CoC) C42 and in accordance with *Independent Audit Post Approval Requirements, 2020* (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-10431 during the audit period comprising:

- Landscaping and Eco blanket installation
- Minor Utility works
- Streetlight installation
- Footpath installation.

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 interview with project personnel on 15 February 2023.

### Summary of Findings

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. In summary:

- There were 131 CoCs assessed.
- Two CoCs were considered by the Auditor to be non-compliant.

- Three observations were identified, which relate to notification of non-compliances, submission of a Site Audit Statement to the Department and the content of the Fill Importation Management Plan.
- 80 CoCs were considered by the Auditor to be compliant.
- 49 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), the single observation open at the time of IA2 remains unresolved.

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 for their high level of organisation, cooperation and assistance during the Independent Audit

# 1. INTRODUCTION

## 1.1 Project overview

The Moorebank Precinct West (Stage 3) project (MPW3, or the Project), is part of the Moorebank Precinct West (MPW) development which, in turn, is part of the broader Moorebank Logistics Park (MLP) development. The Moorebank Intermodal Precinct (also referred to as the Moorebank Intermodal Freight Precinct or Moorebank Logistics Park (MLP)) 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, requiring a number of development consents over its duration. On 11 May 2021, the NSW Independent Planning Commission (the Commission or IPC) approved the development application for the MPW – Stage 3, SSD 10431 (MPW3), in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979* (the Act). LOGOS is the responsible body for developing and operating the Project.

The approval for the MPW Stage 3 (herein referred to as SSD 10431 or MPW3) involved the following works to the west of Moorebank Avenue:

- staged subdivision of the MPW site into nine allotments
- importation of unconsolidated clean fill for compaction up to final land level and structural fill for warehouse pad completion
- establishment and use of a temporary construction work compound area in the southern portion of the MPW site
- ancillary works to facilitate establishment, access and servicing of the works compound and subdivision.

The general layout of the MPW3 development is shown in Figure 2 while the subdivision of lot shown in Figure 3.

LOGOS has engaged a number of parties to help construct the Project including the Project Managers J Wyndham Prince, who manage contractors and consultants responsible for construction. LOGOS has engaged Georgiou as the Principal Construction Contractor and TSA Management as the community engagement managers. Aspect Environmental act as LOGOS's representative on the Project.

These construction phases would occur over a 24-month period, depending on delivery of the MPW development more broadly. This Project aims to achieve a target of carrying 40 per cent of containerised traffic on rail to and from Port Botany to alleviate existing congestion on the road network around the site.





Figure 1-1: Site Location

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

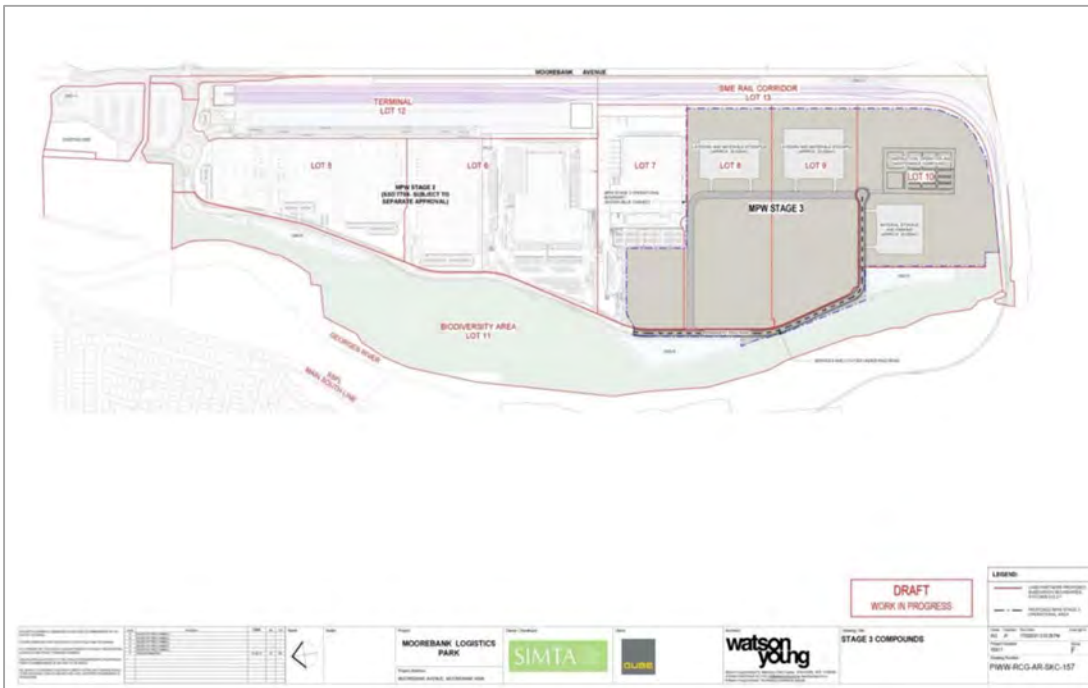


Figure 2 - MPW3 Site Layout (Source: MPW S2 S3 CEMP, Rev Q, SIMTA 2 December 2021)

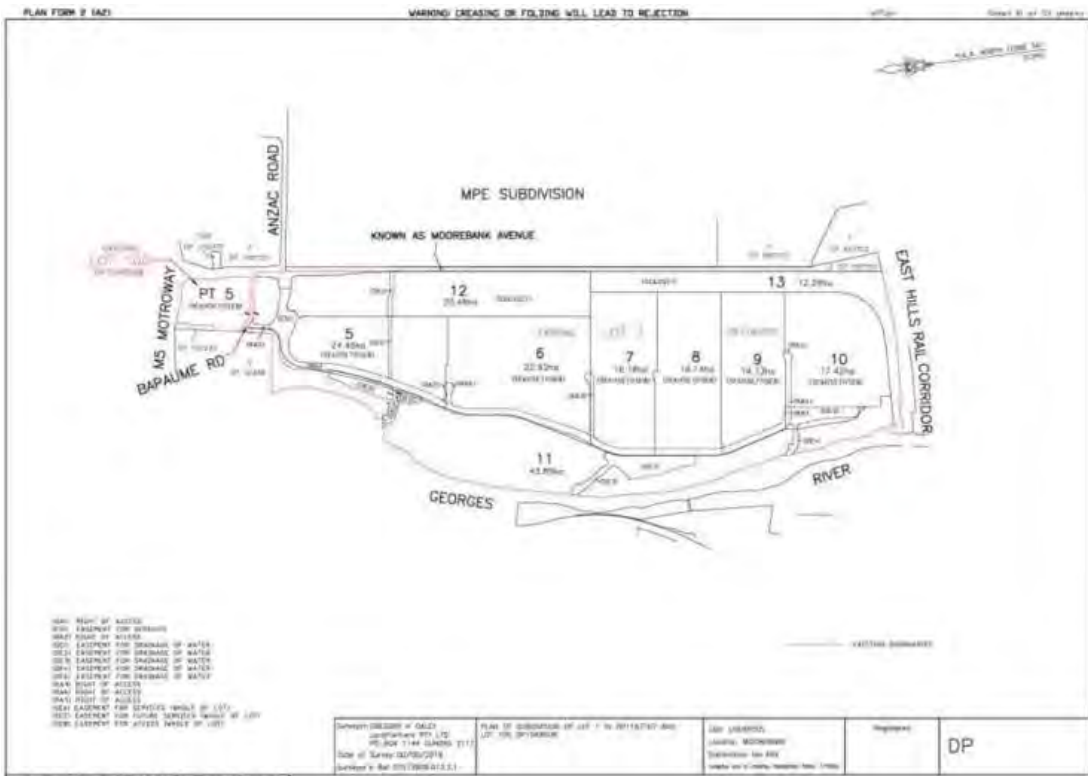


Figure 3 - Subdivision of Lot 1 in DP 1197707 (Source: Land Partners, 2020)



## 1.2 Project Details

Table 1 - Project Details

| Item                       | Details   |
|----------------------------|---|
| Project Name:              | Moorebank Precinct West Stage 3 (MPW Stage 3)   |
| Project Application No.:   | SSD 10431   |
| 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  |
| Project Contractor:        | Georgiou Group  |
| Project Designer:          | Reid Campbell   |
| Certifier:                 | McKenzie Group  |
| Project Phase:             | Construction  |
| Project Target Completion: | 24-month construction period  |
| Project Activity Summary:  | <p>Works undertaken during the last six months (August 2022 to February 2023):</p> <ul style="list-style-type: none"> <li>• Landscaping and Eco blanket installation</li> <li>• Minor Utility works</li> <li>• Streetlight installation</li> <li>• Footpath installation</li> </ul> |

## 1.3 Approval requirements

The SSD 10431 Conditions of Consent (CoC) C41 – C46 set out the requirements for undertaking IA3. CoC C42, in particular, states:

*Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements.*

## 1.4 The audit team

In accordance with CoC C41 Independent Auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.

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<br>Exemplar Global Certified Lead Environmental Auditor [REDACTED]               |
| [REDACTED] | WolfPeak | Peer Reviewer | Master of Environmental Engineering Management<br>Exemplar Global Certified Lead Environmental Auditor [REDACTED] |

Approval of the Audit Team was provided by the Department on 24 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 10431 Schedule 2, CoC C42. CoC C42 states that:

*Independent Audits of the development must be carried out in accordance with the Independent Post Approval Requirements.*

The IAPAR sets out the scope, methodology and reporting requirements for each Independent Audit. This IA3 seeks to fulfill the requirements of CoC C41, verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project using the scope, methodology and reporting requirements from the IAPAR.

## 1.6 Audit scope

This Independent Audit (IA3) is the third audit for the Project covering the period from August 2022 to February 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, 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 assessment of whether Environmental Management Plans and Sub-plans are adequate; and
- any other matters considered relevant by the auditor or the Department, considering relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.

## 2. AUDIT METHODOLOGY

### 2.1 Audit process

The 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 10 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 provided no response. The consultation records are attached in Appendix C.

#### 2.2.4 Meetings

Opening and closing meetings were held on 15 February 2023 at the MPW construction site with project personnel and WolfPeak auditor. Key items discussed included:

- Confirmation of the purpose and scope of the audit
- Overview of the project and status of the works
- Update on the project documentation (CEMP and its sub-plans) and records to verify compliance with the SSD 10431 conditions
- Conduct of a site walk led by the project team to review implementation of mitigation measures and environmental controls
- Conduct of the audit based on the checklist with the Conditions of Approval, interviews with personnel and review of records provided as evidence of compliance, and
- Discussion of any identified findings and any actions noted during site inspection.

At the closing meeting, preliminary audit findings were presented, preliminary recommendations (as appropriate) were made, and any post-audit actions were confirmed.

### 2.2.5 Interviews

The auditor conducted interviews on 15 February 2023 with key personnel during and following the site inspection. 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 request for information and auditee responses to the request. The names of personnel interviewed during the audit are provided in Table 3.

*Table 3 - Audit meeting attendance and personnel interviewed*

| Personnel  | Position                                      | Company              |
|------------|---|----------------------|
| ██████████ | Associated Director<br>(LOGOS Representative) | Aspect Environmental |
| ██████████ | Consultant                                    | Aspect Environmental |
| ██████████ | Environmental Advisor                         | Georgiou Group       |
| ██████████ | Environmental Officer                         | Georgiou Group       |
| ██████████ | Assistant Project Engineer                    | J. Wyndham Prince    |

### 2.2.6 Site inspection

The on-site audit activities took place on 15 February 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 D.

### 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 referenced in the compliance table presented in 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, as shown in Table 3 below.

Table 4 - 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 10431 applicable to the works being undertaken, and selected 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 3 Proposal Environmental Impact Statement – (SSD10431), Aspect Environmental, 24 April 2020 (the EIS)*
- *Moorebank Precinct West - Stage 3 Response to Submissions – SSD 10431, Aspect Environmental, 21 August 2020 (the RtS)*
- *Development Consent SSD 10431, 11 May 2021 (the Consent)*
- *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 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 / Stage 3 Construction Noise and Vibration Management Plan, Renzo Tonin & Associates, Rev. 16, 17 December 2021 (the CNVMP).*
- *Unexpected Finds Protocol Moorebank Precinct West, SIMTA, Rev. 6.0, 15 July 2021*

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

#### 3.2 Previous Audit Findings

Table 5 presents the status of the previous audit findings. The single finding that remained open at the time of completing the second Independent Audit remains unresolved.

The Auditor considers that improvement is still required with respect to the submission of the ER monthly reports, as it was observed that for the current audit period three reports were submitted within the required timeframe and three reports required extension of time, which was submitted and approved by the Department.

#### 3.3 Summary of Compliance

This Section, including table 6, presents a summary of the findings raised from this Independent Audit and the applicant response to each of the findings. Detailed findings against each requirement are presented in Appendix A. In summary:

- There were 131 CoCs assessed.
- Two CoCs were considered by the Auditor to be non-compliant.

- Three observations were identified, which relate to notification of non-compliances, submission of a Site Audit Statement to the Department and the content of the Fill Importation Management Plan.
- 80 CoCs were considered by the Auditor to be compliant.
- 49 CoCs were considered by the Auditor to be not triggered.



Table 5 - Status of audit findings that were open at the time of completing the second Independent Audit

| Item  | Reference | Category      | Condition / Requirement   | Finding   | Recommended or completed action  | By whom and by when                                 | Status   |
|-------|-----------|---------------|---|---|--|---|--|
| IA2_1 | B12       | Observation   | <p>For the duration of the works until 6 months after the completion of construction, or as agreed with the Planning Secretary, the approved ER must:</p> <p>i) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Department's Environmental Representative Protocol (2018) under the heading "Environmental Representative Monthly Reports." The Environmental Representative Monthly Report must be submitted within seven calendar days following the end of each month for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary.</p> | <p><b>Observation:</b> Based on the numerous extensions request made by the ER to submit the ER Monthly Reports, an opportunity for improvement to submit the ER reports on time is raised.</p>   | <p>Submission of the Environmental Representative Monthly Reports to be within the timeframe every 7th of the Month.</p>   | <p>Project ER (Pitt and Sherry)<br/>Every month</p> | <p><b>OPEN</b></p> <p>Monthly Reports for August, November and December 2022 were submitted within the timeframe required. However, as extensions were requested for September 2022, October 2022 and January 2023 reports, this observation remains Open.</p> |
| IA2_2 | C45       | Non-Compliant | <p>Independent Audit Reports and the applicant/proponent's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements unless otherwise agreed by the Planning Secretary.</p>   | <p>Site inspection during IA1 was conducted on 21 February 2022. Independent Audit No. 1 Audit Report, WolfPeak, 30 March 2022.</p> <p>Lodgment to the Department's portal dated 27 April 2022 re: MPW Stage 3 Independent Audit Report and applicant response prepared in accordance with C44.</p> <p><b>Non-Compliant:</b> The Applicant prepared response to audit findings and submitted to the Department on 27 April 2022 after 66 days from the conduct of IA1 site inspection which is beyond the two (2) months' duration set by the Department.</p> | <p>Submission of Independent Audit Reports and the response to audit must be submitted to the Department within 2 months of undertaking the independent audit site inspection.</p> | <p>LOGOS (Aspect)</p>                               | <p><b>CLOSED</b></p> <p>No consideration was taken on gazette public holidays during April 2022 (inclusive of Easter long weekend). Hence, based on the above exclusion, at the date of submission it was 60 days post-site inspection.</p>                    |

Table 6 – Findings and recommendations from the third Independent Audit



| Item  | Reference | Category      | Condition / Requirement   | Finding  | Recommended or completed action  | By whom and by when | Status |
|-------|-----------|---------------|---|--|--|---------------------|--------|
| IA3_1 | A42       | Observation   | The Planning Secretary must be notified through the major project's portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major project's portal within seven days after they identify any non-compliance.  | <b>Observation:</b> The notification of non-compliance with C45 (identified in the second independent audit) was not notified in accordance with A42 as LOGOS was of the view that a non-compliance had not occurred.  | LOGOS presented its view on the finding against C45 in its response to the findings in the second independent audit and this, along with the audit report, was submitted to the Department.<br><br>The Auditor is not aware of any response from the Department in relation to this matter and so WolfPeak will not consider it further. | LOGOS (Aspect)      | CLOSED |
| IA3_2 | C37       | Observation   | Upon completion of importation and placement of fill on any part of the site (inclusive of all fill imported and/or placed under the conditions of this consent, as well as under SSD 7709), and prior to construction of permanent built surface works on that part of the site under any planning approval, the Applicant must submit to the Planning Secretary a Site Audit Report/s and Section A Site Audit Statement/s submitted in accordance with condition B171 of MPW Stage 2 (SSD 7709).                                 | Verification that the site has been made suitable for its intended land use will be signed off by the Contaminated Site Auditor through the issue of a SAR and SAS for the site. The SAS for the Southern Ring Road appears to have been submitted to the Department prior to commencement of construction of permanent built surface works on that land.<br><br><b>Observation:</b> During the audit, the applicant indicated that a warning letter was issued from the Department on the 14 February 2023 regarding a failure to satisfy B171 of SSD 7709. | The non-compliance against SSD 7709 B171 will be reported by the Auditor within the Audit Report for MPWS2 (SSD 7709).   | WolfPeak            | CLOSED |
| IA3_3 | C44       | Non-Compliant | In accordance with the specific requirements in the Independent Audit Post Approval Requirements, the Applicant must: <ul style="list-style-type: none"> <li>a) review and respond to each Independent Audit Report prepared under condition C42 of this consent, or condition C43 where notice is given;</li> <li>b) submit the response to the Planning Secretary; and</li> <li>c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Planning Secretary.</li> </ul> | The Applicant prepared the response to the second Audit Report and submitted it to the Department on the 4 November 2022.<br><br><b>Non-compliance:</b> The second Audit Report and applicant's response was published in the Project website in February 2023 which is more than 60 days after submission to the Department.  | The second Audit Report and the applicant's response was uploaded to the website after the timeframe required by C44.  | LOGOS (Aspect)      | CLOSED |



| Item  | Reference | Category      | Condition / Requirement   | Finding  | Recommended or completed action  | By whom and by when  | Status |
|-------|-----------|---------------|---|--|--|--|--------|
| IA3_4 | C45       | Non-Compliant | Independent Audit Reports and the applicant/proponent's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements unless otherwise agreed by the Planning Secretary.  | <b>Non-compliance:</b> The second Independent Audit site inspection was conducted on 17 August 2022. An application to extend the submission date of the Audit report and the applicant's response to 31 October 2022 was approved by the Department. However, the second Audit Report and applicant's response was not submitted to the Department until 4 November 2022.   | The second Audit Report and applicant's response was submitted after the due date, on 4 November 2022. | LOGOS (Aspect)   | CLOSED |
| IA3_5 | A16       | Observation   | <p>Prior to the commencement of fill importation, the Applicant is to prepare a Fill Importation Management Plan for the approval of the Planning Secretary. The Fill Importation Management Plan must:</p> <ol style="list-style-type: none"> <li>be prepared by a suitably qualified and experienced person;</li> <li>include details of how the Applicant will comply with the requirements of the conditions of this consent relating to fill importation and fill placement;</li> <li>require any fill imported on site to be logged/tracked per truck load;</li> <li>provide a conversion rate for the conversion of fill in cubic metres to and from tonnes;</li> <li>include a template for an Imported Fill Tracking Register, to be throughout the construction period, which includes: <ol style="list-style-type: none"> <li>date and time in and time out of trucks importing fill to the site;</li> <li>details of truck registration and haulage company;</li> <li>source of imported fill;</li> <li>material type and classification;</li> <li>details of the statement of compliance with relevant approval criteria;</li> <li>volume of imported fill in tonnes;</li> <li>location of stockpiled imported fill;</li> <li>location of final destination of imported fill; and</li> <li>details of any sampling performed for purposes of certification.</li> </ol> </li> </ol> | <p><b>Observation:</b> The proposed Import Fill Tracking Register included in Appendix A of the Fill Importation Management Plan (Rev. C) dated 1 November 2022 does not include the following details:</p> <ol style="list-style-type: none"> <li>'time out' of trucks importing fill to the site</li> </ol> <p>The Auditor also observes that at the time of writing this Report the Project is only importing fill under SSD 7709 (and not this consent), and that the Fill Importation Management Plan has not yet been approved by the DPE.</p> | Update the Fill Importation Management Plan to address the required information.                       | LOGOS (Aspect)<br>Prior to commencement of fill importation under SSD 10431. | OPEN   |

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

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; and
- 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.

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. The Auditor draws attention to the deficiency of the Fill Importation Plan (finding IA3\_5), which will need to be addressed prior to commencement of fill importation under SSD 10431.

### 3.5 Summary of notices from agencies

The Auditor refers to the Department's warning letter received on the 14 February 2022 which alleged a breach of the terms of MPW Stage 2 - SSD 7709 Condition B171 as LOGOS did not submit a Site Audit Report (SAR) and Site Audit Statement (SAS) prior to construction of Western Ring Road works in MPW Stage 2, which consequently affects directly Condition C37 from the SSD 10431 MPW Stage 3.

The Department elected to not take any further regulatory action at that time. The Auditor refers to finding IA3\_2 with respect to the reporting of this matter within the Audit Reports.

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

### 3.6 Other matters considered relevant by the Auditor or DPE

The Auditor has no other matters considered relevant beyond the findings presented elsewhere in Section 3 of this Report.

### 3.7 Complaints

A complaints register is being maintained for the entire MLP development. Complaints in the register presented are not specific to the MPW Stage 3 Project. (i.e.: a complaint would be raised about the broader development, rather than any activity associated with the Project and LOGOS would investigate accordingly).

Sighted register is current to the 19 January 2023. No complaints have been received for MPW3 construction works during the audit period (IA3). The publicly available complaints register is available on the Project website: <https://simta.com.au/project-wide/>

### 3.8 Incidents

The Project has not identified any incidents as defined by the Consent during the audit period.

### 3.9 Actual versus predicted impacts

Predicted outcomes associated with the construction of the Project are described in Chapters 7 – 17 of the Moorebank Precinct West Stage 3, Environmental Impact Statement SSD 10431, 24 April 2020 (the EIS), Section 6 of the Moorebank Precinct West – Response to Submissions, SSD 10431, 21 August 2020 (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 10431 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 no recorded incidents or complaints, the Auditor is of the view that the impacts are generally consistent with that identified in the EIS.

### 3.10 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



- 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
- no environmental issues raised during the site inspection, all mitigation measures were implemented and maintained. Refer to photos in Appendix D.





## 4. LIMITATIONS

This Document has been provided by WolfPeak Pty Ltd (WolfPeak) to the Client and is subject to the following limitations:

This Document has been prepared for the particular purpose/s outlined in the WolfPeak proposal/contract/relevant terms of engagement, or as otherwise agreed, between WolfPeak and the Client.

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With respect to conditions relating to compliance with the design, Building Codes of Australia (BCA) or satisfaction of the Independent Verifier / Certifier / Certifying Authority, the Independent Audits relied on confirmation from the Independent Verifier / Certifier / Certifying Authority that this is the case. The Independent Audits do not extend to an assessment of the works against the design or BCA requirements themselves, nor did they examine the steps the Independent Verifier / Certifier / Certifying Authority has taken to verify that the design is compliant.

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.

This Document has been prepared for the exclusive benefit of the Client and no other party. WolfPeak bears no responsibility for the use of this Document, in whole or in part, in other contexts or for any other purpose. WolfPeak bears no responsibility and will not be liable to any other person or organisation for or in relation to any matter dealt with in this Document, or for any loss or damage suffered by any other person or organisation arising from matters dealt with or conclusions expressed in this Document (including without limitation matters arising from any negligent act or omission of WolfPeak or for any loss or damage suffered by any other party relying upon the matters dealt with or conclusions expressed in this Document). Other parties should not rely upon this Document or the accuracy or completeness of any conclusions and should make their own inquiries and obtain independent advice in relation to such matters.

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## APPENDIX A – SSD 10431 CONDITIONS OF CONSENT

| Unique ID   | Compliance Requirement   | Evidence Collected                                     | Independent Audit Findings and recommendations  | Compliance Status |         |              |      |                  |   |            |                  |   |            |                  |   |            |  |   |           |
|---|--|--|---|-------------------|---------|--------------|------|------------------|---|------------|------------------|---|------------|------------------|---|------------|--|---|-----------|
| SSD10431 - Moorebank Intermodal Precinct West Stage 3 – IA3 |  |  |   |                   |         |              |      |                  |   |            |                  |   |            |                  |   |            |  |   |           |
| SCHEDULE 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.   | Evidence referred to elsewhere in this Audit Table.    | Based on the evidence sighted environmental measures have been implemented to prevent or minimise harm to the environment. The non-compliances made do not appear to have resulted in environmental harm beyond that approved under SSD 10431.<br><br>Environmental inspections have been conducted by the ER and the Contractor and monthly reports submitted to the DPE reporting the environmental performance of the project. | Compliant         |         |              |      |                  |   |            |                  |   |            |                  |   |            |  |   |           |
| Terms of Consent  |  |  |   |                   |         |              |      |                  |   |            |                  |   |            |                  |   |            |  |   |           |
| A2  | <p>The development may only be carried out:</p> <ul style="list-style-type: none"> <li>a) in compliance with the conditions of this consent;</li> <li>b) in accordance with all written directions of the Planning Secretary;</li> <li>c) generally, in accordance with the EIS and Response to Submissions;</li> <li>d) generally, in accordance with the management and mitigation measures in Appendix 3;</li> <li>e) in accordance with the approved subdivision plans in the table below:</li> </ul> <table border="1" data-bbox="332 1220 997 1400"> <thead> <tr> <th colspan="3">Plan of Subdivision prepared by LandPartners Pty Ltd</th> </tr> <tr> <th>Dwg No.</th> <th>Name of Plan</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>SY073909.013.2.1</td> <td>Plan of Subdivision of Lot 1 in DP1197707 and Lot 100 DP1049508, sheet 01 of 03</td> <td>01/07/2020</td> </tr> <tr> <td>SY073909.013.2.1</td> <td>Plan of Subdivision of Lot 1 in DP1197707 and Lot 100 DP1049508, sheet 02 of 03</td> <td>01/07/2020</td> </tr> <tr> <td>SY073909.013.2.1</td> <td>Plan of Subdivision of Lot 1 in DP1197707 and Lot 100 DP1049508, sheet 03 of 03</td> <td>01/07/2020</td> </tr> </tbody> </table> | Plan of Subdivision prepared by LandPartners Pty Ltd   |   |                   | Dwg No. | Name of Plan | Date | SY073909.013.2.1 | Plan of Subdivision of Lot 1 in DP1197707 and Lot 100 DP1049508, sheet 01 of 03 | 01/07/2020 | SY073909.013.2.1 | Plan of Subdivision of Lot 1 in DP1197707 and Lot 100 DP1049508, sheet 02 of 03 | 01/07/2020 | SY073909.013.2.1 | Plan of Subdivision of Lot 1 in DP1197707 and Lot 100 DP1049508, sheet 03 of 03 | 01/07/2020 | <p>Evidence referred to elsewhere in this Audit Table.</p> <p>SSD Conditions approved by DPE 11/05/2021</p> <p>Environmental Impact Statement, Moorebank Precinct West Stage 3, dated 24/04/20</p> <p>Response to Submissions, Moorebank Intermodal Precinct West - Stage 3 (SSD-10431), dated 05/06/20</p> <p>Interview with auditee 15/02/2023</p> | <p>The overall outcome of this IA3 indicated that compliance was proactively tracked by the LOGOS and the development has been conducted in compliance with the SSD conditions.</p> <p>No environmental issues were raised during the site inspection conducted 15/2/23 and mitigation measures from the CEMP and sub-plans appeared to be implemented and maintained. Refer to photos in Appendix D.</p> <p>No Modifications for the SSD conditions have been requested.</p> <p>The non-compliances identified are of administrative nature and not significant in number. The non-compliances are reported against the condition to which they relate. Other than these few events, compliance is being achieved in all other respects and, on this basis, the Auditor does not consider it appropriate to assign a non-compliance with this condition.</p> | Compliant |
| Plan of Subdivision prepared by LandPartners Pty Ltd        |  |  |   |                   |         |              |      |                  |   |            |                  |   |            |                  |   |            |  |   |           |
| Dwg No.   | Name of Plan   | Date   |   |                   |         |              |      |                  |   |            |                  |   |            |                  |   |            |  |   |           |
| SY073909.013.2.1  | Plan of Subdivision of Lot 1 in DP1197707 and Lot 100 DP1049508, sheet 01 of 03  | 01/07/2020   |   |                   |         |              |      |                  |   |            |                  |   |            |                  |   |            |  |   |           |
| SY073909.013.2.1  | Plan of Subdivision of Lot 1 in DP1197707 and Lot 100 DP1049508, sheet 02 of 03  | 01/07/2020   |   |                   |         |              |      |                  |   |            |                  |   |            |                  |   |            |  |   |           |
| SY073909.013.2.1  | Plan of Subdivision of Lot 1 in DP1197707 and Lot 100 DP1049508, sheet 03 of 03  | 01/07/2020   |   |                   |         |              |      |                  |   |            |                  |   |            |                  |   |            |  |   |           |
| A3  | <p>Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:</p> <ul style="list-style-type: none"> <li>a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary;</li> <li>b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and</li> <li>c) the implementation of any actions or measures contained in any such document referred to in (a) above.</li> </ul>  | Interview with auditees and site inspection 15/02/2023 | The Project team is not aware of any directions from the Secretary.   | Not Triggered     |         |              |      |                  |   |            |                  |   |            |                  |   |            |  |   |           |
| A4  | 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 condition A2(c) to A2(e). In the event of an inconsistency, ambiguity or conflict between  | Interview with auditees and site inspection 15/02/2023 | Noted. This Independent Audit has assessed compliance with the conditions of consent and the most recent version of any document listed in A2.  | Compliant         |         |              |      |                  |   |            |                  |   |            |                  |   |            |  |   |           |



| Unique ID         | Compliance Requirement  | Evidence Collected   | Independent Audit Findings and recommendations  | Compliance Status |
|-------------------|---|--|---|-------------------|
|                   | any of the documents listed in condition A2(c) to A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.   |  |   |                   |
| Limits of Consent |   |  |   |                   |
| A5                | This consent lapses five years after the date of consent unless work is physically commenced.   | Interview with auditees and site inspection 15/02/2023   | The Project team advised that the notified date of commencement of activities was 13/11/21.   | Compliant         |
| A6                | Nothing in this consent permits the removal of vegetation. All vegetation removed on the site must be undertaken in accordance with the requirements of MPW Stage 2 (SSD 7709).   | Interview with auditees and site inspection 15/02/2023   | No vegetation has been cleared under MPW Stage 3 (MPWS3).<br>This was addressed/cleared as part of the MPW Stage 2 (MPWS2).   | Not Triggered     |
| A7                | Only VENM, ENM, or other imported fill material approved in writing by EPA is to be placed on the site.   | Interview with auditees and site inspection 15/02/2023<br><br>DGB Testing Certificate, 5695s, 10/06/20<br><br>Test report, Resources Laboratory, Lab report sample no, 26592             | Material was already on site for the bedding of the footpath, this was already assessed for the previous audit.<br><br>No stormwater works have been done in the past 6 months; therefore, no other material has been brought in.<br><br>These works are generally under MPWS2.   | Compliant         |
| A8                | Importation of imported fill must not exceed a total of 13,000m <sup>3</sup> of material per day across this development, MPW Stage 2 (SSD 7709) 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).  | CARAS has provided data for the weight bridge from 18/8/2022 to 11/02/2023. Largest volume imported on a day was 6,932 tons, equivalent to 3,151.27m <sup>3</sup> .<br><br>Daily totals are recorded through the two weighbridges. These are collated by Georgiou as required.<br><br>Reports are provided from CARAS to JWP (Project Managers on site) | Compliant         |
| A9                | Prior to physical commencement of work under this consent, the Applicant is required to modify the following development consents by replacing "22,000 m <sup>3</sup> " wherever occurring with "13,000 m <sup>3</sup> " in:<br><br>a) condition A9 of SSD 7709; and<br><br>b) condition B56(a) of SSD 7628.  | Letter Aspect to the IPC, 19/07/21 (modification of MPW2)<br><br>Letter Aspect to the IPC, 19/07/21 (modification of MPE2)   | Noted. The consents were modified on 19/07/21.  | Compliant         |
| A10               | The total volume of uncompacted fill to be imported for compaction up to final land level must not exceed 280,000m <sup>3</sup> . This volume is additional to the 1,600,000m <sup>3</sup> of uncompacted fill permitted to be imported to site under the MPW Stage 2 (SSD 7709) consent and may only be imported once importation of the volume permitted under the MPW Stage 2 (SSD 7709) consent is complete.  | Interview with auditees and site inspection 15/02/2023   | The Project team advises that no import of uncompacted fill has occurred for MPWS3. These roadways fill materials are not being counted as uncompacted fill. Fill importation continues under SSD 7709.   | Not Triggered     |
| A11               | The total volume of structural fill to be imported for warehouse pad completion under this consent must not exceed 540,000m <sup>3</sup> . Prior to the importation of structural fill for any given area of the site, the Applicant is to provide the ER and the Planning Secretary with a report prepared by a suitably qualified and experienced engineer outlining the volume of structural fill it proposes to both receive and emplace on that given area of the site. The Applicant may not at any time possess on site a volume of structural fill material that exceeds the volume that the Applicant proposes to be emplaced on site in the next 6 months | Interview with auditees and site inspection 15/02/2023<br><br>Material Import Tonnages.xls, current to Feb 2023 from CARAS Weight Bridge tracking program (from 18/8/2022 to 11/02/2023) | The Project team advises that no import of uncompacted fill has occurred for MPWS3. Fill importation continues under SSD 7709.  | Not Triggered     |
| A12               | In addition to the other conditions of this consent, nothing in this consent permits the Applicant to stockpile or otherwise receive imported fill material beyond the amounts or volumes permitted under this or any other development consent, or place fill above the  | Interview with auditees 15/02/2023   | The Project team advises that no import of uncompacted fill has occurred for MPWS3.   | Not Triggered     |



| Unique ID | Compliance Requirement   | Evidence Collected   | Independent Audit Findings and recommendations  | Compliance Status |
|-----------|--|--|---|-------------------|
|           | final land level or finished surface levels permitted under this or any other development consent.   | Material Import Tonnages.xls, current to Feb 2023 from CARAS Weight Bridge tracking program (from 18/8/2022 to 11/02/2023)<br><br>LPWPIW, MAUW & INTS: Independent Verification of Imported Fill Progress Report from CARAS dated 14/02/2023<br><br>Georgiou Survey: MRW – Project Bell Chatman Ave Moorebank (Pad Level) dated 25/9/22 from Integral Survey | The total import of uncompacted fill for MPWS2 as of 14/02/2023 is ~1,454,084m3.  |                   |
| A13       | Only one crushing plant is to operate at any one time across the MPW site (i.e., under either MPW Stage 2 consent or the conditions of this consent). Any crushing plant operated as part of MPW Stage 3 can only be operated once any existing crushing plant operated as part of MPW Stage 2 (SSD 7709) has been decommissioned.   | Interview with auditees and site inspection 15/02/2023   | One (1) crusher is present on site to service all MPW. It has not been used on MPWS3 to date.   | Not Triggered     |
| A14       | For the avoidance of doubt, nothing in this consent enables the finished surface level of any filled section of the site to exceed 16.6 m AHD.   | Interview with auditees 15/02/2023<br><br>Material Import Tonnages.xls, current to Feb 2023 from CARAS Weight Bridge tracking program (from 18/8/2022 to 11/02/2023)<br><br>Georgiou Survey: MRW – Project Bell Chatman Ave Moorebank (Pad Level) dated 25/9/22 from Integral Survey   | The Project team advises that no import of uncompacted fill has occurred for MPW3 and MPW3 has not place any uncompacted fill.<br><br>The total import of uncompacted fill for MPWS2 currently sits at ~1,454, 084m3.   | Not Triggered     |
| A15       | Prior to the commencement of fill importation or fill placement, the Applicant is to engage a suitably qualified and independent person or persons to conduct an audit of: <ul style="list-style-type: none"> <li>a) the amount of fill (whether unconsolidated, consolidated or structural) brought to the site to date;</li> <li>b) where fill has been used on site, including an aerial plan clearly indicating the location and boundary of the placed fill relevant to its respective consent;</li> <li>c) for what purpose, all fill has been used;</li> <li>d) how all fill use is justified under existing development consents applying to the land; and</li> <li>e) current site levels.</li> </ul> <p>The suitably qualified and independent person or persons are to be approved by the Planning Secretary prior to the conduct of the audit. Fill importation or fill placement must not commence until the Planning Secretary approves the audit.</p> | Interview with auditees 15/02/2023<br><br>Letter dated 16/09/22 DPE – Aspect Environmental P/L re: Appointment of suitably qualified independent person under condition A15  | DPE granted approval for the suitably qualified and independent person under condition A15 – Mr. Carl Vincent on 16 September 2022.<br><br>No fill importation or fill placement done yet.  | Compliant         |
| A16       | Prior to the commencement of fill importation, the Applicant is to prepare a Fill Importation Management Plan for the approval of the Planning Secretary. The Fill Importation Management Plan must: <ul style="list-style-type: none"> <li>a) be prepared by a suitably qualified and experienced person;</li> <li>b) include details of how the Applicant will comply with the requirements of the conditions of this consent relating to fill importation and fill placement;</li> <li>c) require any fill imported on site to be logged/tracked per truck load;</li> </ul>   | Interview with auditees 15/02/2023<br><br>Material Import Tonnages.xls, current to Feb 2023 from CARAS Weight Bridge tracking program (from 18/8/2022 to 11/02/2023)<br><br>Fill Importation Management Plan for MPW S3 dated 1/11/2022 Rev. C<br><br>Post Approval Lodgment Plan submitted to DPE on the 4/11/2022  | Fill Importation Management Plan has been developed, plan dated 1/11/2022 Rev. C.<br><br>Pitt & Sherry (ER) endorsement letter on the 2/11/2022 for MPW3 importation management Plan indicating the Plan is consistent with the requirements in or under the consent.<br><br>Plan has been submitted to DPE on the 4/11/2022 and is currently waiting for approval. | Not Triggered     |



| Unique ID | Compliance Requirement  | Evidence Collected   | Independent Audit Findings and recommendations  | Compliance Status |
|-----------|---|--|---|-------------------|
|           | <p>d) provide a conversion rate for the conversion of fill in cubic metres to and from tonnes;</p> <p>e) include a template for an Imported Fill Tracking Register, to be throughout the construction period, which includes:</p> <ol style="list-style-type: none"> <li>I. date and time in and time out of trucks importing fill to the site;</li> <li>II. details of truck registration and haulage company;</li> <li>III. source of imported fill;</li> <li>IV. material type and classification;</li> <li>V. details of the statement of compliance with relevant approval criteria;</li> <li>VI. volume of imported fill in tonnes;</li> <li>VII. location of stockpiled imported fill;</li> <li>VIII. location of final destination of imported fill; and</li> <li>IX. details of any sampling performed for purposes of certification.</li> </ol> | Pitt & Sherry (ER) endorsement letter on the 2/11/2022   | <p><b>Observation-01:</b></p> <p>The proposed Import Fill Tracking Register included in Appendix A of the Fill Importation Management Plan (Rev. C) does not include the following details:</p> <ol style="list-style-type: none"> <li>ii. 'time out' of trucks importing fill to the site</li> <li>v. details of the statement of compliance with relevant approval criteria</li> </ol> <p>The Auditor also observes that at the time of writing this Report the Project is only importing fill under SSD 7709 (and not this consent), and that the Fill Importation Management Plan has not yet been approved by the DPE.</p> |                   |
| A17       | Fill importation must not commence until the Planning Secretary approves the Fill Importation Management Plan. The Applicant is to implement the Fill Importation Management Plan as approved by the Planning Secretary from time to time.  | Interview with auditees 15/02/2023   | Plan has been submitted to DPE in November 2022 and is currently waiting for approval. Fill importation has not commenced yet.  | Not Triggered     |
| A18       | The Applicant must fill out the Imported Fill Tracking Register throughout the entire construction period. All details recorded in the Imported Fill Tracking Register must be provided to the Department and NSW EPA upon the request of an investigation officer and authorised officer.  | Interview with auditees 15/02/2023   | Fill importation has not commenced yet.   | Not Triggered     |
| A19       | The Applicant must engage an independent person to verify the Imported Fill Tracking Register on a weekly basis and prepare and submit weekly reports on this verification to the Department and NSW EPA upon the request of an investigation officer and authorised officer.   | Interview with auditees 15/02/2023   | Fill importation has not commenced yet. Plan has been submitted to DPE in November 2022 and is currently waiting for approval.  | Not Triggered     |
| A20       | No construction (including but not limited to clearing and maintenance access, stockpiling or other earthworks) is permitted within the riparian corridor and signs must be provided along the adjacent boundary fence to this effect.  | <p>Site inspection 17/08/22</p> <p>PIWW-RCG-AR-DWG-0101 – Issue L 4/3/2021</p> <p>Induction presentation Rev. January 2023</p> | <p>The riparian zone is proximal to the 1:100-year flood line. No works were observed to have extended into the riparian zone. Works to date have not extended beyond the construction boundary defined by the Revised Development Layout Drawings (MPW2 Condition B52). Flagging was installed see photo in Appendix D.</p> <p>Post Approval MPW Master Plan Drawing 4/3/2021 Issue L is in the process of being updated.</p> <p>Sighted induction presentation including delineation zones, updated in January 2023.</p>  | Compliant         |
| A21       | No works in the riparian corridor outside the site are permitted under this approval and signs must be provided along the adjacent boundary fence to this effect.   | <p>Site inspection 17/08/22</p> <p>PIWW-RCG-AR-DWG-0101 – Issue L 4/3/2021</p> <p>Induction presentation Rev. January 2023</p> | <p>The riparian zone is proximal to the 1:100-year flood line. No works were observed to have extended into the riparian zone. Works to date have not extended beyond the construction boundary defined by the Revised Development Layout Drawings (MPW2 Condition B52). Flagging was installed see photo in Appendix D.</p> <p>Post Approval MPW Master Plan Drawing 4/3/2021 Issue L is in the process of being updated.</p>  | Compliant         |



| Unique ID  | Compliance Requirement  | Evidence Collected  | Independent Audit Findings and recommendations   | Compliance Status |
|--|---|---|--|-------------------|
|  |   |   | Sighted induction presentation including delineation zones, updated in January 2023.   |                   |
| <b>Prescribed Conditions</b>   |   |   |  |                   |
| A22  | The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.  | Part 6, Division 8A of the EP&A Regulation<br>Construction Certificate No. 190359/06, Mckenzie Group 28/10/2021   | Part 6, Division 8A of the EPA Reg relates to prescribed conditions for: <ul style="list-style-type: none"> <li>• compliance with the BCA.</li> <li>• erection of signs (not relevant)</li> <li>• residential building work (not relevant)</li> <li>• entertainment venues (not relevant)</li> <li>• signage for max number of persons for entertainment purposes (not relevant), and</li> <li>• shoring and adjoining properties (not relevant).</li> </ul> Verification of the BCA compliance is assessed by the Certifier.<br>The auditor can only comment that the relevant Construction Certificate was approved prior to work commencing.<br>A Construction Certificate was issued for road, pavements, utilities, plus subdivision and building. The Certifier has confirmed compliance with the BCA. | Compliant         |
| <b>Planning Secretary as Moderator</b>                               |   |   |  |                   |
| A23  | In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.   | Interview with auditees 15/02/2023  | The auditees are not aware of any disputes with public authorities.  | Not Triggered     |
| <b>Evidence of Consultation</b>                                      |   |   |  |                   |
| A24  | Where conditions of this consent require consultation with an identified party, the Applicant must: <ol style="list-style-type: none"> <li>consult with the relevant party prior to submitting the subject document for information or approval; and</li> <li>provide details of the consultation undertaken including: <ol style="list-style-type: none"> <li>the outcome of that consultation, matters resolved and unresolved; and</li> <li>details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</li> </ol> </li> </ol> | Construction Traffic and Access Management Plan Moorebank Precinct West Stage 2 and Moorebank Precinct West Stage 3, SIMTA, 14/09/21 (CTAMP).<br>Letter DPE to Qube 24/09/21 (approval of MPW3 CTAMP) | The Construction Traffic and Access Management Plan (CTAMP) for Moorebank Precinct West Stage 2 and Moorebank Precinct West Stage 3, was the only document that required consultation.<br>Section 1.4 of the CTAMP includes details of the consultation undertaken between the Project, Liverpool City Council and TfNSW.  | Compliant         |
| <b>Staging, Combining and Updating Strategies, Plans or Programs</b> |   |   |  |                   |
| A25  | The Applicant may: <ol style="list-style-type: none"> <li>prepare and submit any strategy, plan (including management plan, architectural or design plan) or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan (including management plan, architectural or design</li> </ol>  | Interview with auditees 15/02/2023<br>Letter DPE to Qube, 07/09/21 (approval of MPW3 CEMP, CCS, CERP (including FERSP))   | The Project is not being staged. Other than the merging of the MPWS2 and MPWS3 plans there have been no aggregation of plans. Refer B19.<br>The MPWS3 plans have been approved by the DPE prior to commencement of construction. The plans go through the continual  | Not Triggered     |



| Unique ID                                    | Compliance Requirement  | Evidence Collected   | Independent Audit Findings and recommendations  | Compliance Status |
|--|---|--|---|-------------------|
|  | <p>plan) or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan (including management plan, architectural or design plan) or program);</p> <p>b) combine any strategy, plan (including management plan, architectural or design plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan, architectural or design plan) or programs that are proposed to be combined); and</p> <p>c) update any strategy, plan (including management plan, architectural or design plan), or program required by this consent (to ensure the strategies, plans (including management plan, architectural or design plan), or 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> | <p>Letter DPE to Qube 24/09/21 (approval of MPW3 CTAMP)</p> <p>Letter DPE to Qube 12/11/21 (approval MPW3 CSWMP)</p> <p>Letter DPE to Qube, 25/10/21 (approval of the CNVMP)</p> | <p>improvement minor updates consistent with previous stages and with the approval of the ER, however, there have been no updates since their initial approval</p>  |                   |
| A26  | Any strategy, plan or program prepared in accordance with condition A25, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.   | Interview with auditees 15/02/2023   | <p>The Project is not being staged. Other than the merging of the MPWS2 and MPWS3 plans there have been no aggregation of plans. Refer B19.</p> <p>The MPWS3 plans have been approved by the DPE prior to commencement of construction.</p>   | Not Triggered     |
| A27  | If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.  | Interview with auditees 15/02/2023   | <p>The Project is not being staged. Other than the merging of the MPWS2 and MPWS3 plans there have been no aggregation of plans. Refer B19.</p>   | Not Triggered     |
| A28  | Updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.   | Interview with auditees 15/02/2023   | <p>The Project is not being staged. Other than the merging of the MPWS2 and MPWS3 plans there have been no aggregation of plans. Refer B19.</p> <p>The plans go through the continual improvement minor updates consistent with previous stages and with the approval of the ER, however, there have been no updates since their initial approval</p> | Not Triggered     |
| A29  | Nothing in the conditions of this consent permits the staging of construction works. Note 1: Staging of subdivision is permitted — see for example Part D of Schedule 2 of this consent. Note 2: Nothing in this condition precludes the phasing of works, such as that outlined in Appendix D of the Response to Submissions.  | Interview with auditees 15/02/2023   | <p>The Project is not being staged. Other than the merging of the MPWS2 and MPWS3 plans there have been no aggregation of plans. Refer B19.</p>   | Not Triggered     |
| <b>Structural Adequacy</b>                   |   |  |   |                   |
| A30  | <p>All new buildings and structures, and any alterations or additions to existing buildings and structures, which are part of the development, must be constructed in accordance with the relevant requirements of the BCA.</p> <p><i>Note: Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the development.</i></p>   | Construction Certificate No. 190359/06, Mckenzie Group 28/10/2021  | A Construction Certificate was issued for road, pavements, utilities, plus subdivision and building. The Certifier has confirmed compliance with the BCA.   | Compliant         |
| <b>Design and Construction for Bush Fire</b> |   |  |   |                   |
| A31  | New construction must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959- 2009 Construction of buildings in bushfire-prone areas or NASH National Standard Steel Framed Construction in Bushfire Areas (as updated) as appropriate and section 7.5 of Planning for Bush Fire Protection 2019.   | Construction Certificate No. 190359/06, Mckenzie Group 28/10/2021  | <p>The standards referenced relate to buildings and steel framed structures.</p> <p>J Wyndham Prince submitted details to confirm compliance that roads complied with Bush Fire code to the Certifier as part of the</p>  | Compliant         |



| Unique ID                          | Compliance Requirement  | Evidence Collected  | Independent Audit Findings and recommendations   | Compliance Status |
|------------------------------------|---|---|--|-------------------|
|                                    |   | Email from J Wyndham Prince to Mckenzie Group, 21/09/21   | Crown Certificate application. The Certifier verified compliance through issue of the Construction Certificate.  |                   |
| A32                                | The provision of water, electricity and gas must comply with Table 6.8c of Planning for Bush Fire Protection 2019   | Construction Certificate No. 190359/06, Mckenzie Group 28/10/2021<br><br>Letter from R.A. Smith Contracting Pty Ltd 28/10/2022<br><br>Two letters (Ref. No.6117 MPW) from Ausconnex – 27/01/2023 handover of communication, HV & LV Assets.<br><br>Site inspection 15/02/2023 | J Wyndham Prince submitted details to confirm compliance that road complied with Bush Fire code to the Certifier as part of the Construction Certificate application. The Certifier verified compliance through issue of the Construction Certificate.<br><br>Water and power were installed along the roadway, the following evidence was presented: <ul style="list-style-type: none"> <li>- Letter from R.A. Smith Contracting - 28/10/2022 re. works under 'supply and installation of hydraulic works' have been installed in accordance with design drawings, Northrop Specification, and project requirements.</li> <li>- Letter (6117 MPW) from Ausconnex – 27/01/2023 re. works complete declaration and handover of communication assets to Georgiou.</li> <li>- Letter (6117 MPW) from Ausconnex – 27/01/2023 re. works complete declaration and handover of HV &amp; LV Assets to Georgiou.</li> </ul> | Compliant         |
| A33                                | The entire site must be managed as an inner protection area in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019.<br><br><i>Note: See condition B190 of MPW Stage 2 (SSD 7709)</i>   | Email from J Wyndham Prince to Mckenzie Group, 21/09/21<br><br>Construction Certificate No. 190359/06, Mckenzie Group 28/10/2021  | J Wyndham Prince submitted details to confirm compliance that road complied with Bush Fire code to the Certifier as part of the Crown Certificate application. The Certifier verified compliance through issue of the Construction Certificate.  | Compliant         |
| <b>Subdivision Certificate</b>     |   |   |  |                   |
| A34                                | In undertaking the subdivision approved under this consent, the Applicant must comply with the requirements of Part 6 of the Environmental Planning and Assessment Act 1979 in relation to the issue of a Subdivision Certificate.<br><br>For the purposes of this approval, the issue of a Subdivision Certificate is restricted to the subdivision defined by Condition A2.<br><br><i>Note: Part D of Schedule 2 of this consent provides conditions that are required to be met prior to the issue of a subdivision certificate.</i> | Interview with auditees 15/02/2023  | The Project team advises that the Subdivision Certificate is pending. The drawings in A2 will be used as part of the application.  | Not Triggered     |
| <b>Applicability of Guidelines</b> |   |   |  |                   |
| A35                                | 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.   | Construction Environmental Management Plan Moorebank Precinct West Stage 2 and Stage 3, SIMTA, 02/12/21 (the CEMP), and each sub-plan (refer to B17 – B24)<br><br>Evidence referred to elsewhere in this table.   | The CEMP and associated Sub-plans and procedures, along with other reports / evidence sighted appear to reference current guidelines, protocols, Standards or policies. No issues identified. No changes.  | Compliant         |
| A36                                | 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  | Interview with auditees 15/02/2023  | The Project team is not aware of any directions 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 for MPW3.   | Not Triggered     |



| Unique ID                                  | Compliance Requirement  | Evidence Collected  | Independent Audit Findings and recommendations   | Compliance Status |
|--|---|---|--|-------------------|
|  | updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.   |   |  |                   |
| <b>Monitoring and Environmental Audits</b> |   |   |  |                   |
| A37  | <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&amp;A Act. This includes conditions in respect of incident notification, reporting and response, noncompliance notification, Site audit report and independent auditing.</p> <p><i>Note: For the purposes of this condition, as set out in the EP&amp;A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i></p>  | <p>Dust deposition results, ALS, Jan 2023 results.</p> <p>Inspection Report in the Beakon System 3/2/23 and 29/11/2022.</p> <p>Internal Audit conducted by Georgiou covering the implementation of CEMP 12/12/2022</p> <p>Independent Audit No. 2 Audit Report, WolfPeak, 14/10/22</p>  | <p>Internal Audit was conducted by Georgiou covering the implementation of the CEMP 12/12/2022, done every 6 months.</p> <p>Regular weekly inspection, pre and post rainfall inspection are being conducted and recorded in the Beakon System, the following examples were sighted:</p> <ul style="list-style-type: none"> <li>- Weekly Inspection Report on the 3/2/2023 and 29/11/2022.</li> <li>- Pre-rain fall inspection on the 30/1/2023</li> </ul> <p>Sighted environmental monitoring register including dust checking. Dust result from ALS - depositional dust 03/01/2023 to 31/01/2023, with DDG-03 and DDG 04 been specific for MPW3.</p> <p>The Independent Audit are being conducted in accordance with the IAPAR. The Auditor is not aware of any comments from the Department on the second Audit Report.</p>  | Compliant         |
| <b>Access to Information</b>               |   |   |  |                   |
| A38  | <p>At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, 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"> <li>I. the documents referred to in condition A2 of this consent;</li> <li>II. all current statutory approvals for the development;</li> <li>III. all approved strategies, plans and programs required under the conditions of this consent;</li> <li>IV. regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;</li> <li>V. 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;</li> <li>VI. a summary of the current stage and progress of the development;</li> <li>VII. contact details to enquire about the development or to make a complaint;</li> <li>VIII. complaints register, updated monthly;</li> <li>IX. audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;</li> </ol> | <p><a href="https://simta.com.au/mpw/">https://simta.com.au/mpw/</a></p> <p><a href="https://simta.com.au/project-wide/">https://simta.com.au/project-wide/</a></p> <p><a href="https://simta.com.au/planning-process/">https://simta.com.au/planning-process/</a></p> <p><a href="https://simta.com.au/wordpress/wp-content/uploads/">https://simta.com.au/wordpress/wp-content/uploads/</a></p> <p>Interview with auditees 15/02/2023</p> | <p>The website was reviewed on 15/2/2023. It contains:</p> <ol style="list-style-type: none"> <li>I. documents referred in A2 – SSD, EIS, Response to submission and approved plans.</li> <li>II. SSD approvals</li> <li>III. All approved plans (CEMP, CTAMP, CNVMP and CSWMP) available</li> <li>IV. Reporting on the environmental performance is through the IA reports. IA2 has been published.</li> <li>V. Summary of the monitoring results for January – December 2021 for MPW2 and MPW3 are captured in one report, which was completed 16/8/22. Results for 2022 are in the process of been compiled and draft ready in March 2023.</li> <li>VI. The stage of the development is included in the newsletter – sighted up to Dec 2022. Also, current work 'tap' available but does not specify for stage 3 the progress.</li> <li>VII. Contact us email available to enquire about the development or to make a complaint; (No number)</li> <li>VIII. Complaints register available, updated monthly.</li> <li>IX. Audit Report IA2 and the response to the findings available on the website.</li> <li>X. One non-compliance identified in the IA2 was sighted in the Response to Audit Report.</li> </ol> | Compliant         |



| Unique ID                                     | Compliance Requirement   | Evidence Collected   | Independent Audit Findings and recommendations  | Compliance Status |
|---|--|--|---|-------------------|
|   | <p>X. notification of any non-compliances with the conditions of this consent made under condition A42;</p> <p>XI. any other matter required by the Planning Secretary; and</p> <p>b) keep such information up to date, to the satisfaction of the Planning Secretary and publicly available for 12 months after the commencement of operations.</p> |  | XI. NA: the Planning Secretary has not required any additional information.   |                   |
| Compliance                                    |  |  |   |                   |
| A39   | 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  | <p>Georgiou Project Induction (Moorebank District), Georgiou January 2023</p> <p>Georgiou SharePoint, Delivery Driver Induction. Induction document was viewed 15/02/23.</p> | <p>The Project inductions include the information relevant to the consent, for the work being conducted. Risks, rules, and controls for the MPW site, including those for MPWS3. Matters include no go areas, hours of work, incident management, traffic management, reporting, soil, and water controls etc.</p> <p>Records of inductions are being retained.</p>   | Compliant         |
| Incident Notification, Reporting and Response |  |  |   |                   |
| A40   | The Planning Secretary must be notified through the major projects portal immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.             | Georgiou Beacon System, Incident register, current to 6 February 2023 in Beakon system   | No notifiable incidents as defined by the consent have been recorded by the Project team on MPWS3.  | Not Triggered     |
| A41   | Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 4.  | Georgiou Beacon System, Incident register, current to 6 February 2023 in Beakon system   | No notifiable incidents as defined by the consent have been recorded by the Project team on MPWS3.  | Not Triggered     |
| Non-Compliance Notification                   |  |  |   |                   |
| A42   | The Planning Secretary must be notified through the major project's portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major project's portal within seven days after they identify any non-compliance.   | <p>Independent Audit No.2 Report dated 14/10/2022 from Wolfpeak.</p> <p>Audit Report and Response to Audit Report Submission to DPE dated 4/11/2022</p>                      | <p>One non-compliance was recorded on the previous IA2 for MPWS3. Audit Report dated 14/10/2022.</p> <p>The proponent indicated that the non-compliance was notified to DPE through the lodgment of the IA2 report which was done 4/11/2022.</p> <p><b>Observation: The notification of non-compliance with C45 (identified in the second independent audit) was not notified in accordance with A42 as LOGOS was of the view that a non-compliance had not occurred.</b></p> <p><b>Note: Non-compliances are required to be notified individually to the DPE through the major project's portal.</b></p> | Compliant         |
| A43   | The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.               | Georgiou Beacon System, Incident register, current to 6 February 2023 in Beakon system Submission to Report to DPE 4/11/2022   | One non-compliance was recorded on the previous IA2 on MPW3. The non-compliance was notified to DPE through the lodgment of the IA2 report which was done 4/11/2022.  | Compliant         |
| A44   | A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance  | Interview with auditees 15/02/2023   | Noted.  | Not Triggered     |
| Revision of Strategies, Plans and Programs    |  |  |   |                   |



| Unique ID                                     | Compliance Requirement  | Evidence Collected  | Independent Audit Findings and recommendations  | Compliance Status |
|---|---|---|---|-------------------|
| A45   | <p>Within three months of:</p> <ul style="list-style-type: none"> <li>a) the submission of a compliance report under condition A48;</li> <li>b) the submission of an incident report under condition A41;</li> <li>c) the submission of an Independent Audit under condition C42;</li> <li>d) the approval of any modification of the conditions of this consent; or</li> <li>e) the issue of a direction of the Planning Secretary under condition A2 which requires a review,</li> </ul> <p>the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out</p>  | <p>Post Approval Form Lodgment 26/7/2022</p> <p>Email and letter to Certifier 26/7/2022 with review of CEMP and management sub-plans for MPW S3</p> <p>Georgiou Beacon System, Incident register, current to 6 February 2023 in Beakon system</p> <p>CEMP revised in 21/12/2022</p> <p>Interview with auditees 15/02/2023</p> | <p>Independent Audit No.2 Report Final -14/10/2022. Submission of the last IA2 Report was done on the 4/11/2022 and email with acknowledgement from DPE received on the 4/11/2022.</p> <p>Sighted email on the 26/7/2022 with notification of review of management plans for MPWS3 to the Certifier McKenzie Group and DPE (combining MPW2 and MPW3)</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 MPWS3 CEMP was submitted on the 9/12/22 and 11/12/2022.</p> <p>No incidents reported for MPWS3. No new modifications or directions from DPE for the audited period.</p> | Compliant         |
| A46   | <p>If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary and Certifier for information (where relevant) within six weeks of the review.</p> <p><i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</i></p> | <p>Interview with auditees 15/02/2023</p> <p>CEMP revised in 21/12/2022</p>   | <p>There have been no revisions, or updates to strategies, plans, programs or drawings under the consent.</p>   | Not Triggered     |
| Compliance Reporting                          |   |   |   |                   |
| A47   | Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (2020).  | Compliance Reporting Post Approval Requirements (2020)  | No Compliance Reporting is required during construction under the Compliance Reporting Post Approval Requirements (2020)  | Not Triggered     |
| A48   | Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.  | Compliance Reporting Post Approval Requirements (2020)  | No Compliance Reporting is required during construction under the Compliance Reporting Post Approval Requirements (2020)  | Not Triggered     |
| A49   | The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.  | Compliance Reporting Post Approval Requirements (2020)  | No Compliance Reporting is required during construction under the Compliance Reporting Post Approval Requirements (2020)  | Not Triggered     |
| A50   | Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing annual 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.   | Compliance Reporting Post Approval Requirements (2020)  | No Compliance Reporting is required during construction under the Compliance Reporting Post Approval Requirements (2020)  | Not Triggered     |
| PART B: PRIOR TO COMMENCEMENT OF CONSTRUCTION |   |   |   |                   |
| Notification of Commencement                  |   |   |   |                   |
| B1  | The Applicant must notify the Planning Secretary in writing of the dates of the intended commencement of construction and operation at least 48 hours before those dates.   | <p>Letter Aspect to DPE, 16/11/21</p> <p>DPE post approval portal lodgment, 16/11/21</p>  | <p>On 16 November 2021 SIMTA (now LOGOS) notified the commencement of construction on 16/11/21, with physical commencement occurring on 19/11/21</p>  | Compliant         |



| Unique ID                            | Compliance Requirement   | Evidence Collected   | Independent Audit Findings and recommendations  | Compliance Status |
|--------------------------------------|--|--|---|-------------------|
| Certified Drawings                   |  |  |   |                   |
| B2                                   | Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier structural drawings prepared and signed by a suitably qualified practicing Structural Engineer that demonstrates compliance with this development consent.   | Construction Certificate No. 190359/06, Mckenzie Group 28/10/2021  | There are no structures under MPWS3. Civil drawings were prepared, and the Certifier verified compliance though issue of the Construction Certificate.  | Compliant         |
| Protection of Public Infrastructure  |  |  |   |                   |
| B3                                   | <p>Prior to the commencement of construction, the Applicant must:</p> <ul style="list-style-type: none"> <li>a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure</li> <li>b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and</li> <li>c) submit a copy of the dilapidation report to the Planning Secretary, Certifier and Council</li> </ul> | <p>Interview with auditees 15/02/2023</p> <p>Site inspection 15/02/2023</p> <p>Construction Certificate No. 190359/06, Mckenzie Group 28/10/2021</p>   | There are no third-party services affected by MPW3 works.   | Compliant         |
| Pre-Construction Dilapidation Report |  |  |   |                   |
| B4                                   | Prior to the commencement of construction, the Applicant must submit a pre-commencement dilapidation report to Council and the Certifier. The report must provide an accurate record of the existing condition of adjoining private properties and Council assets that are likely to be impacted by the proposed works.  | <p>Interview with auditees and site inspection 15/02/2023</p> <p>Email Tactical to Liverpool Council, 26/03/2020</p> <p>Letter Mckenzie Group to Tactical, 25/03/2022</p> <p>Construction Certificate No. 190359/06, Mckenzie Group 28/10/2021</p> | <p>There are no third-party interfaces for MPWS3.</p> <p>All external interfaces are associated with MPWS2. The dilapidation report was submitted to Council and the Certifier in accordance with SSD 7709 in March 2020 for MPWS2.</p>   | Not Triggered     |
| Community Consultative Committee     |  |  |   |                   |
| B5                                   | Prior to the commencement of construction, a Community Consultative Committee (CCC) must be established for the development in accordance with the Department's Community Consultative Committee Guidelines: State Significant Projects (2019). The CCC must begin to exercise functions in accordance with such Guidelines before the commencement of construction and continue to do so for the duration of construction and for at least six months following the completion of construction.   | <p>Interview with auditees 15/02/2023</p> <p>CCC meeting minutes 9/11/2022</p> <p>Community Communication Strategy Moorebank Precinct West Stage 2 and Moorebank Precinct West Stage 3, SIMTA 29/06/21</p> <p>Letter DPE to SIMTA, 07/09/21</p>    | <p>Last meeting was conducted on 9/11/2022 posted on the website. Next meeting has been scheduled for 16/02/2023.</p> <p>The Community Consultative Committee (CCC) was established in 2018 and continues for the MPWS3 development.</p> <p>The approved MPWS3 Community Communication Strategy sets out that the CCC would be expanded to include MPW3. The Strategy was approved by the Department on 07/09/21.</p> | Compliant         |
| B6                                   | The CCC may request that the information or documents referenced in condition A37 (including but not limited to any plan, strategy or program in relation to incident notification, reporting and response, non-compliance notification, Site audit report and independent auditing) is to be presented to the CCC by the Applicant.   | <p>Interview with auditees 15/02/2023</p> <p>CCC meeting minutes 9/11/2022</p>   | The CCC requested monitoring data for dust and noise, this covers the whole precinct. Quarterly dust reports for MPWS3 were provided to them. This has been recorded in the last meeting minutes 9/11/2022.   | Compliant         |
| B7                                   | <p>The Planning Secretary may consider a request to expand an existing MPW or MPE CCC to cover the MPW Stage 3 development and to satisfy condition B5.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>- The CCC is an advisory committee only.</li> </ul>   | <p>Interview with auditees 15/02/2023</p> <p>CCC meeting minutes 9/11/2022</p> <p>Community Communication Strategy Moorebank Precinct West Stage 2 and Moorebank Precinct West Stage 3, SIMTA 29/06/21</p>   | <p>The CCC was established in 2018 and continues on for the MPW3 development.</p> <p>The approved MPW3 Community Communication Strategy sets out that the CCC would be expanded to include MPWS3. The Strategy was approved by the Department on 07/09/21.</p>  | Compliant         |



| Unique ID                               | Compliance Requirement   | Evidence Collected   | Independent Audit Findings and recommendations   | Compliance Status |
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|   | <ul style="list-style-type: none"> <li>In accordance with the Guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, Council and the local community.</li> </ul>  | Letter DPE to SIMTA, 07/09/21  | Last meeting was conducted on 9/11/2022 posted on the website. Next meeting has been scheduled for 16/02/2023.   |                   |
| <b>Community Communication Strategy</b> |  |  |  |                   |
| B8                                      | <p>No later than two weeks before the commencement of construction, or within another timeframe agreed with the Planning Secretary, a Community Communication Strategy must be submitted to the Planning Secretary for approval. The Community Communication Strategy must provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction.</p> <p>The Community Communication Strategy must:</p> <ol style="list-style-type: none"> <li>identify people to be consulted during the design and construction phases;</li> <li>set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;</li> <li>provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;</li> <li>set out procedures and mechanisms: <ol style="list-style-type: none"> <li>through which the community can discuss or provide feedback to the Applicant;</li> <li>through which the Applicant will respond to enquiries or feedback from the community; and</li> <li>to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation.</li> </ol> </li> <li>include any specific requirements around traffic, noise and vibration, visual impacts, amenity, flora and fauna, soil and water, contamination, heritage, flood emergency warning, stormwater impacts on watercourses and lighting.</li> </ol> | <p>Community Communication Strategy Moorebank Precinct West Stage 2 and Moorebank Precinct West Stage 3, SIMTA 29/06/21, Rev.J.</p> <p>Letter DPE to SIMTA, 07/09/21</p> | <p>The MPWS3 Community Communication Strategy was prepared in mind – late 2021. It sets out how each requirement of this condition (and other community management related requirements) have been addressed. The Strategy covers both MPW2 and MPW3.</p> <p>The Strategy was approved by the Department on 07/09/21 and no changes have been made since then.</p> | Compliant         |
| B9                                      | The Planning Secretary may consider a request to expand an existing MPW Community Communication Strategy to cover the MPW Stage 3 development and to satisfy condition B8.   | <p>Community Communication Strategy Moorebank Precinct West Stage 2 and Moorebank Precinct West Stage 3, SIMTA 29/06/21, Rev.J.</p> <p>Letter DPE to SIMTA, 07/09/21</p> | <p>The MPWS3 Community Communication Strategy was prepared in mind – late 2021. It sets out how each requirement of this condition (and other community management related requirements) have been addressed. The Strategy covers both MPW2 and MPW3.</p> <p>The Strategy was approved by the Department on 07/09/21.</p>  | Compliant         |
| <b>Environmental Representative</b>     |  |  |  |                   |
| B10                                     | Works must not commence until the Environmental Representative (ER) approved by the Planning Secretary under the MPW Stage 2 (SSD 7709) consent has also been engaged by the Applicant to act as the ER in accordance with the conditions of this consent.   | <p>Letter DPE to Aspect, 27/10/20.</p> <p>MPW S3 SSD 10431 - ER Monthly Reports from Pitt &amp; Sherry from August 2022 to January 2023.</p>                             | <p>On 27/10/20 Chris Jack was appointed the ER for MPWS2.</p> <p>The ER Inspection Reports and Monthly Reports demonstrate that MPWS3 falls within the ER's scope of works.</p>  | Compliant         |
| B11                                     | Works must not commence until the Environmental Representative (ER) approved by the Planning Secretary under the MPW Stage 2 (SSD 7709) consent has also been engaged by the Applicant to act as the ER in accordance with the conditions of this consent.   | <p>Letter DPE to Aspect, 27/10/20.</p> <p>MPW S3 SSD 10431 - ER Monthly Reports from Pitt &amp; Sherry from August 2022 to January 2023.</p>                             | <p>On 27/10/20 Chris Jack was appointed the ER for MPWS2.</p> <p>The ER Inspection Reports and Monthly Reports demonstrate that MPWS3 falls within the ER's scope of works.</p>  | Compliant         |



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| B12       | <p>For the duration of the works until 6 months after the completion of construction, or as agreed with the Planning Secretary, the approved ER must:</p> <ol style="list-style-type: none"> <li>receive and respond to communication from the Planning Secretary in relation to the environmental performance of the development;</li> <li>consider and inform the Planning Secretary on matters specified in the terms of this consent;</li> <li>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;</li> <li>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: <ol style="list-style-type: none"> <li>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</li> <li>make a written submission 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);</li> </ol> </li> <li>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;</li> <li>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 C44 of this consent;</li> <li>as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints;</li> <li>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</li> <li>prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Department's Environmental Representative Protocol (2018) under the heading "Environmental Representative Monthly Reports." The Environmental Representative Monthly Report must be submitted within seven calendar days following the end of each month for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary.</li> </ol> | <p>Letters from HBI to Tactical:</p> <ul style="list-style-type: none"> <li>- 26/07/21 (endorsement of MPWS3 CEMP),</li> <li>- 22/07/21 (endorsement of MPWS3 CTAMP),</li> <li>- 08/12/21 (endorsement of MPWS3 CSWMP)</li> <li>- 02/07/21 (endorsement of MPWS3 CERP)</li> <li>- 16/08/21 (endorsement of MPWS3 CNVMP)</li> </ul> <p>MPW S3 SSD 10431 - ER Monthly Reports from Pitt &amp; Sherry from August 2022 to January 2023.</p> <p>DPE post approval portal record for August, October, November 2022, and January 2023 Monthly ER reports.</p> <p>Extension of time requests and approval from DPE for September, October 2022 ER monthly reports.</p> <p>Email from DPE accepting late submission of January 2023 ER monthly report dated 21/2/2023.</p> | <p>The ER endorsement letters (and revision histories on the CEMP and Sub-plans), Inspection Reports and Monthly Reports demonstrate that the ER is fulfilling its duties under this condition.</p> <p>The Auditor is not aware of the DPE raising any requests regarding audits or complaints.</p> <p>ER has not raised any issue on MPWS3.</p> <p>The following Monthly Reports from Pitt &amp; Sherry and submission were presented as follows:</p> <ul style="list-style-type: none"> <li>- August 2022 submitted 8/9/2022.</li> <li>- September 2022 submitted 14/10/2022 (10 days). An extension of time was requested 29/9/22 and approved 30/9/2022.</li> <li>- October 2022 submitted 11/11/2022 (9 days). An extension of time was requested 1/11/22 and approved 4/11/2022.</li> <li>- November 2022 submitted 5/12/2022.</li> <li>- December 2022 submitted 5/1/2023.</li> <li>- January 2023 submitted 22/2/2023. Acceptance of late submission received 21/2/2023.</li> </ul> <p>Also, presented project shutdown and restart plan from Georgiou for the Christmas period 2022, dated 22/12/2022.</p> | Compliant         |
| B13       | <p>The Applicant must provide all documentation requested by the ER in order for the ER to perform their functions specified in condition B12 (including preparation of the ER monthly report), as well as:</p>  | <p>Monthly Complaint Register update 31/01/2023</p>   | <p>In total, 8 complaints have received for the entire project from the 17/8/2022 to 31/01/2023. No complaints were related to MPWS3 for the audited period.</p>  | Compliant         |



| Unique ID                                  | Compliance Requirement  | Evidence Collected   | Independent Audit Findings and recommendations  | Compliance Status |
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|  | <p>a) the complaints register (to be provided on a monthly basis); and</p> <p>b) a copy of any assessment carried out by the Applicant of whether proposed work is consistent with the consent (which must be provided to the ER before the commencement of the subject works).</p>   |  | <p>No assessments done to be provided under MPWS3.</p> <p>Inspection Reports and Monthly Reports demonstrate that the ER is receiving the necessary information to conduct its functions.</p> <p>There have not been any consistency assessments completed to date.</p>   |                   |
| B14  | <p>The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under condition A37. The Applicant must:</p> <p>a) facilitate and assist the Planning Secretary in any such audit; and</p> <p>b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.</p>   | Interview with auditees 15/02/2023   | The Project team are not aware of any audit being commissioned under this condition.  | Not Triggered     |
| Outdoor Lighting                           |   |  |   |                   |
| B15  | Prior to commencement of lighting installation, evidence must be submitted to the satisfaction of the Certifier that all outdoor lighting within the site has been designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.   | <p>Email J Wyndham Prince to Mckenzie Group, 06/09/21</p> <p>Construction Certificate No. 190359/06, Mckenzie Group 28/10/2021</p>   | Lighting design was submitted to the Certifier as part of the Construction Certificate application. The application confirmed compliance with this requirement and was verified by the Certifier through issue of the Construction Certificate.   | Compliant         |
| Environmental Management Plan Requirements |   |  |   |                   |
| B16  | <p>Management plans required under this consent must be prepared having regard to the relevant guidelines, including but not limited to the Environmental Management Plan Guideline: <i>Guideline for Infrastructure Projects (DPIE April 2020)</i>.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>The Environmental Management Plan Guideline is available on the Planning Portal at: <a href="https://www.planningportal.nsw.gov.au/major-projects/assessment/post-approval">https://www.planningportal.nsw.gov.au/major-projects/assessment/post-approval</a></li> <li>The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</li> </ul> | <p>Construction Environmental Management Plan Moorebank Precinct West Stage 2 and Stage 3, SIMTA, 02/12/21 (the CEMP)</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>Moorebank Precinct West Stage 2 / Stage 3 Construction Noise and Vibration Management Plan, Renzo Tonin, 17/12/21 (the CNVMP)</p> <p>Construction Soil and Water Management Plan Moorebank Logistic Park Precinct West Stage 2 &amp; Stage 3 Costin Roe, 30/11/21 Rev. 18 (the CSWMP)</p> <p>Construction Emergency Response Plan Moorebank Precinct West Stage 2 and Stage 3, SIMTA, 29/06/21 (the ERP, incorporating the FERSP)</p> <p>Letters from DPE to Qube on:</p> <ul style="list-style-type: none"> <li>07/09/21 (approval of MPW3 CEMP, CCS, CERP (including FERSP))</li> <li>24/09/21 (approval of MPW3 CTAMP)</li> <li>12/11/21 (approval MPW3 CSWMP)</li> <li>25/10/21 (approval of the CNVMP).</li> </ul> | <p>The CEMP, CTAMP, CNVMP, CSWMP and FERSP were prepared in accordance with the relevant conditions and the Departments EMP Guideline. The plans set out how each condition and other relevant requirement has been addressed.</p> <p>The plans were progressively approved by the Department in the second half of 2021.</p> <p>CEMP was revised in December 2022 and is in the process of been approved by DPE.</p> | Compliant         |
| Construction Environmental Management Plan |   |  |   |                   |



| Unique ID | Compliance Requirement   | Evidence Collected  | Independent Audit Findings and recommendations  | Compliance Status |
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| B17       | <p>Prior to the commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and provide a copy to the Planning Secretary for approval. The CEMP must include, but not be limited to, the following:</p> <p>a) Details of:</p> <ol style="list-style-type: none"> <li>I. hours of work;</li> <li>II. 24-hour contact details of site manager;</li> <li>III. management of dust and odour to protect the amenity of the neighbourhood;</li> <li>IV. stormwater control and discharge;</li> <li>V. measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;</li> <li>VI. external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;</li> <li>VII. community consultation and complaints handling as set out in the Community Communication Strategy required by condition B8;</li> </ol> <p>b) an unexpected finds protocol for contamination and associated communications procedure to ensure that potentially contaminated material is appropriately managed;</p> <p>c) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;</p> <p>d) mitigation, monitoring and management procedures specific to the crushing plant that would be implemented to minimise environmental and amenity impacts;</p> <p>e) sustainability measures and practices to be implemented during the construction process;</p> <p>f) the recording of quantities, classification (for materials to be removed) and validation (for materials to remain) of each type of waste generated during construction and proposed use;</p> <p>g) information regarding the recycling and disposal locations;</p> <p>h) confirmation of the contamination status of the development areas of the site based on the validation results;</p> <p>i) Construction Traffic and Access Management Sub-Plan (see condition B20);</p> <p>j) Construction Noise and Vibration Management Sub-Plan (see condition B21);</p> <p>k) Construction Soil and Water Management Sub-Plan (see condition B22); and</p> <p>l) Flood Emergency Response Sub-Plan (see condition B23).</p> | <p>Construction Environmental Management Plan Moorebank Precinct West Stage 2 and Stage 3, SIMTA, 02/12/21 (the CEMP)</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>Moorebank Precinct West Stage 2 / Stage 3 Construction Noise and Vibration Management Plan, Renzo Tonin, 17/12/21 (the CNVMP)</p> <p>Construction Soil and Water Management Plan Moorebank Logistic Park Precinct West Stage 2 &amp; Stage 3 Costin Roe, 30/11/21 Rev. 18 (the CSWMP)</p> <p>Construction Emergency Response Plan Moorebank Precinct West Stage 2 and Stage 3, SIMTA, 29/06/21 (the ERP, incorporating the FERSP)</p> <p>Email J Wyndham Prince to Mckenzie Group, 06/09/21 (submission CEMP, CTAMP, CNVMP, CSWMP, FERSP CCS to Certifier)</p> <p>Letters from DPE to Qube on:</p> <ul style="list-style-type: none"> <li>- 07/09/21 (approval of MPW3 CEMP, CCS, CERP (including FERSP))</li> <li>- 24/09/21 (approval of MPW3 CTAMP)</li> <li>- 12/11/21 (approval MPW3 CSWMP)</li> <li>- 25/10/21 (approval of the CNVMP).</li> </ul> | <p>The CEMP, CTAMP, CNVMP, CSWMP and FERSP were prepared in accordance with the relevant conditions. The plans set out how each condition and other relevant requirement has been addressed.</p> <p>The plans were progressively approved by the Department in the second half of 2021.</p> <p>CEMP was revised in December 2022 and is in the process of been approved by DPE.</p> | Compliant         |
| B18       | <p>The Applicant must not commence construction of the development until the CEMP is approved by the Planning Secretary.</p>   | <p>Letter Aspect to DPE, 16/11/21</p> <p>DPE post approval portal lodgment, 16/11/21</p> <p>Letters from DPE to Qube on:</p> <ul style="list-style-type: none"> <li>- 07/09/21 (approval of MPW3 CEMP, CCS, CERP (including FERSP))</li> </ul>  | <p>The last plan to be approved by the Department was the CSWMP on 12/11/21.</p> <p>On 16/11/21 SIMTA (now LOGOS) notified the commencement of construction on 16/11/21, with physical commencement occurring on 19/11/21.</p>  | Compliant         |



| Unique ID | Compliance Requirement  | Evidence Collected  | Independent Audit Findings and recommendations   | Compliance Status |
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|           |   | <ul style="list-style-type: none"> <li>- 24/09/21 (approval of MPW3 CTAMP)</li> <li>- 12/11/21 (approval MPW3 CSWMP)</li> <li>- 25/10/21 (approval of the CNVMP).</li> </ul>  |  |                   |
| B19       | <p>The Applicant may elect to prepare the CEMP (and relevant sub-plans) required under condition B17 as a standalone document, or as updated versions of CEMP documents already approved by the Planning Secretary as part of the MPW Stage 2 (SSD 7709) consent. In the event the Applicant elects to prepare the CEMP (or sub-plan) as an updated version of an existing approved document, the Applicant must clearly identify how the document has been updated to satisfy the conditions of this consent, as well as how it continues to satisfy the conditions of the consent under which it was originally approved, and seek the Planning Secretary's approval of the updated CEMP (or sub-plan) under both condition B17 and that other consent.</p>   | <p>Letter DPE to Qube, 07/09/21 (approval of MPW3 CEMP, CCS, CERP (including FERSP))</p> <p>Letter DPE to Qube 24/09/21 (approval of MPW3 CTAMP)</p> <p>Letter DPE to Qube 12/11/21 (approval MPW3 CSWMP)</p> <p>Letter DPE to Qube, 25/10/21 (approval of the CNVMP).</p>  | <p>The CEMP, CTAMP, CNVMP, CSWMP and FERSP were prepared to capture the requirements of both MPWS2 and MPWS3. The plans set out how each condition and other relevant requirement has been addressed.</p> <p>The plans were progressively approved by the Department in the second half of 2021.</p> | Compliant         |
| B20       | <p>The Construction Traffic and Access Management Sub-Plan (CTAMSP) must be prepared to achieve the objective of ensuring safety and efficiency of the road network and address, but not be limited to, the following:</p> <ol style="list-style-type: none"> <li>a) be prepared by a suitably qualified and experienced person(s);</li> <li>b) be prepared in consultation with Council and TfNSW;</li> <li>c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of concurrent construction and/or operation traffic to and from the combined MPW site and the MPE site, and potential impacts on general traffic, cyclists and pedestrians and bus services;</li> <li>d) detail access and parking arrangements;</li> <li>e) include a Heavy Vehicle Route Plan detailing: <ol style="list-style-type: none"> <li>I. origin of imported fill;</li> <li>II. destination of spoil</li> <li>III. heavy vehicle routes to and from the site within the Campbelltown and Liverpool Local Government Areas (LGAs), including compliance with conditions of this consent; and</li> <li>IV. management system for oversized vehicles.</li> </ol> </li> <li>f) detail procedures for notifying residents and the community of any potential traffic disruptions.</li> </ol> | <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>Appendix B of the CTAMP (not publicly available) presents the evidence of consultation with the identified stakeholders.</p> <p>Letter DPE to Qube 24/09/21 (approval of MPW3 CTAMP)</p> | <p>The CTAMP was prepared by a suitably qualified person in consultation with Council and TfNSW. The CTAMP addresses requirements a) – f).</p> <p>The CTAMP was approved by the Department on 24/09/21.</p>  | Compliant         |
| B21       | <p>The Construction Noise and Vibration Management Sub-Plan (CNVMSP) must address, but not be limited to, the following:</p> <ol style="list-style-type: none"> <li>a) be prepared by a suitably qualified and experienced noise expert;</li> <li>b) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009);</li> <li>c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;</li> <li>d) include strategies that have been developed with the Community Consultative Committee (CCC) for managing high noise generating works;</li> </ol>  | <p>Moorebank Precinct West Stage 2 / Stage 3 Construction Noise and Vibration Management Plan, Renzo Tonin, 12/08/21 (the CNVMP) updated 17/12/21.</p> <p>Letter DPE to Qube, 25/10/21 (approval of the CNVMP).</p> <p>CCC Meeting Minutes 01/11/21</p>   | <p>The CNVMP was prepared by a suitably qualified person and in communication with the CCC. The CNVMP addresses requirements a) – i).</p> <p>The CNVMP was approved by the Department on 25/10/21.</p>   | Compliant         |



| Unique ID | Compliance Requirement   | Evidence Collected  | Independent Audit Findings and recommendations   | Compliance Status |
|-----------|--|---|--|-------------------|
|           | <ul style="list-style-type: none"> <li>e) identify work areas, site compounds and internal access routes;</li> <li>f) identify the type and number of plant and equipment expected on site at the same time;</li> <li>g) include a complaints management system that would be implemented for the duration of the construction;</li> <li>h) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the implemented management measures in accordance with the requirements of condition B17;</li> <li>i) an Out-of-hours Work Protocol for the assessment, management and approval of works associated with the importation and placement of fill, outside of the hours identified in condition C3. The Out-of-hours Work Protocol must:               <ul style="list-style-type: none"> <li>I. provide evidence of how feedback from the CCC has been incorporated to develop the Out-of-hours Work Protocol;</li> <li>II. specify what works are proposed out-of-hours;</li> <li>III. provide details and clear justification for why the works must be done out-of-hours (reasons other than convenience must be provided);</li> <li>IV. detail an assessment of out-of-hours works against the relevant NMLs and vibration criteria;</li> <li>V. provide detailed mitigation measures for any residual impacts (that is, additional to general mitigation measures), including extent of at-receiver treatments; and</li> <li>VI. (vi) include proposed notification arrangements.</li> </ul> </li> </ul> |   |  |                   |
| B22       | <p>The Applicant must prepare a Construction Soil and Water Management Sub-Plan (CSWMSP) and the plan must address, but not be limited to the following:</p> <ul style="list-style-type: none"> <li>a) be prepared by a suitably qualified expert,</li> <li>b) detail measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;</li> <li>c) describe all erosion and sediment controls to be implemented during construction, including as a minimum, measures in accordance with the publication Managing Urban Stormwater: Soils &amp; Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book' and the relevant requirements of the conditions of this consent;</li> <li>d) provide a plan of how all construction works will be managed in a wet-weather events (i.e., storage of equipment, stabilisation of the site);</li> <li>e) detail all off-site flows from the site; and</li> <li>f) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 5-year ARI and 1 in 100- year ARI.</li> </ul>   | <p>Construction Soil and Water Management Plan Moorebank Logistic Park Precinct West Stage 2 &amp; Stage 3 Costin Roe, 07/09/21 (the CSWMP) updated 30/11/2021</p> <p>Letter DPE to Qube 12/11/21 (approval MPW3 CSWMP)</p> | <p>The CSWMP was prepared by a suitably qualified person. The CSWMP addresses requirements a) – f).</p> <p>The CSWMP was approved by the Department on 12/11/21.</p> | Compliant         |
| B23       | <p>The Flood Emergency Response Sub-Plan (FERSP) must address, but not be limited to, the following:</p>   | <p>Construction Emergency Response Plan Moorebank Precinct West Stage 2 and Stage 3,</p>  | <p>The ERP includes the FERSP and was prepared by a suitably qualified person. The CSWMP addresses requirements a) – c).</p>   | Compliant         |



| Unique ID                          | Compliance Requirement  | Evidence Collected  | Independent Audit Findings and recommendations  | Compliance Status |
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|                                    | <ul style="list-style-type: none"> <li>a) be prepared by a suitably qualified and experienced person(s);</li> <li>b) address the provisions of the Floodplain Risk Management Guidelines (EESG);</li> <li>c) include details of:               <ul style="list-style-type: none"> <li>I. the flood emergency responses for construction phases of the development;</li> <li>II. predicted flood levels;</li> <li>III. flood warning time and flood notification;</li> <li>IV. assembly points and evacuation routes; (v) evacuation and refuge protocols; and</li> <li>V. awareness training for employees and contractors, and users/visitors</li> </ul> </li> </ul> | <p>SIMTA, 29/06/21 (the ERP, incorporating the FERSP)</p> <p>Letter DPE to Qube, 07/09/21 (approval of MPW3 CEMP, CCS, CERP (including FERSP))</p>  | <p>The CSWMP was approved by the Department on 07/09/21.</p>  |                   |
| B24                                | <p>A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following:</p> <ul style="list-style-type: none"> <li>a) minimise the impacts of earthworks and construction on the local and regional road network;</li> <li>b) minimise conflicts with other road users;</li> <li>c) minimise road traffic noise; and</li> <li>d) ensure truck drivers use specified routes.</li> </ul>  | <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>Letter DPE to Qube 24/09/21 (approval of MPW3 CTAMP)</p> <p>Completed Delivery Driver Induction 03/11/21, 05/03/21</p> <p>Delivery Driver Induction Proforma</p> <p>Georgiou Project Induction (Moorebank District), Georgiou January 2023 and Georgiou SharePoint, Delivery Driver Induction. Induction document was viewed 15/02/23.</p> | <p>The Driver Code of Conduct is presented in Appendix C of the CTAMP. It addresses requirements a) – d) of this condition.</p> <p>The CTAMP was approved by the Department on 24/09/21.</p> <p>The Driver Code of Conduct has been communicated to regular haulage drivers on the Project.</p> | Compliant         |
| Unexpected Contamination Procedure |   |   |   |                   |
| B25                                | <p>Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. Where any material identified as contaminated is to be disposed off-site, the disposal location and results of testing submitted to the Planning Secretary prior to its removal from the site.</p>  | <p>Interview with auditees 15/02/2023.</p> <p>Construction Environmental Management Plan Moorebank Precinct West Stage 2 and Stage 3, SIMTA, 02/12/21 (the CEMP)</p> <p>Letter DPE to Qube, 07/09/21 (approval of MPW3 CEMP, CCS, CERP (including FERSP))</p> <p>ER endorsement letter – MPWS3 RFMA 001 Post Audit CEMP Update – SSD 10431 dated 3 May 2022 updating the Unexpected Finds Protocol (Appendix D)</p>   | <p>The Unexpected finds protocol is presented within Appendix D of the CEMP. No unexpected finds to date.</p>   | Not Triggered     |
| Unexpected Contamination Procedure |   |   |   |                   |
| B26                                | <p>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 and notify the CCC to discuss requirements for community consultation and the management of identified risks.</p>  | <p>Interview with auditees 15/02/2023</p>   | <p>There has been no change to the PFAS to that reported in the MPW PFAS Management Plan. That document does not identify any unacceptable off-site risk.</p>   | Not Triggered     |



| Unique ID                   | Compliance Requirement   | Evidence Collected   | Independent Audit Findings and recommendations  | Compliance Status |
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|                             |  | <p>Moorebank Precinct West - Per &amp; Poly-Fluoroalkyl Substances (PFAS) Management Plan – Construction, CARAS, 07/12/20</p> <p>Long-Term Environmental Management Plan Moorebank Precinct West Site, 400 Moorebank Avenue, Moorebank, NSW, EP Risk, 01/12/20</p>   | Included in Appendix D of the CEMP. No unexpected finds   |                   |
| B27                         | Prior to the commencement of construction, the Applicant must describe to the EPA the measures that must be implemented to ensure that the long-term risk of increased PFAS contamination as a result of tree root penetration is minimised. These measures to reflect those in the LTEMP and any update to the LTEMP (in relation to landscape planting and maintenance), as referred to at conditions C39 and C40. | <p>Long-Term Environmental Management Plan Moorebank Precinct West Site, 400 Moorebank Avenue, Moorebank, NSW, EP Risk, 01/12/20</p> <p>Email Tactical to the EPA, 24/11/20</p>  | Present in Appendix D of the LTEMP. The LTEMP was submitted to the EPA on 24/11/20. The Project team is not aware of any response from the EPA on the document.   | Compliant         |
| <b>Construction Parking</b> |  |  |   |                   |
| B28                         | Prior to the commencement of construction, the Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that construction traffic associated with the development does not utilise public and residential streets or public parking facilities.  | <p>Site inspection 15/02/2023</p> <p>Construction Traffic and Access Management Plan Moorebank Precinct West Stage 2 and Moorebank Precinct West Stage 3, SIMTA, 14/09/21 (CTAMP) (includes Delivery Driver Induction and Traffic Control Plan)</p> <p>Letter DPE to Qube 24/09/21 (approval of MPW3 CTAMP)</p> <p>Complaints register current to 31/01/2023</p>   | <p>Sufficient parking is available on site and is shown and described in the CTAMP.</p> <p>No off-site parking observed.</p> <p>No complaints received regarding this requirement.</p>  | Compliant         |
| <b>Soil and Water</b>       |  |  |   |                   |
| B29                         | Prior to the commencement of construction, the Applicant must describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI.  | <p>Construction Soil and Water Management Plan Moorebank Logistic Park Precinct West Stage 2 &amp; Stage 3 Costin Roe, 07/09/21 (the CSWMP) updated 30/11/2021</p> <p>Letter DPE to Qube 12/11/21 (approval MPW3 CSWMP)</p> <p>Letter DPE to Qube, 07/09/21 (approval of MPW3 CEMP, CCS, CERP (including FERSP))</p> <p>Post rainfall inspection 23/01/2023 (following 25ml in 48hrs)</p> <p>Georgiou Beakon System erosion and sediment control inspection records, current to Feb 2023</p> <p>Primary ESCP, Rev 9 – 6/2/2023 from Georgiou</p> <p>CPESC Inspection Reports, 29/2/2023 from ErSed.</p> <p>Georgiou drone footage folder sighted (daily photos 14/2/2023).</p> | <p>ESCP Revision 2 is being implemented on site.</p> <p>Stormwater and flood flows are addressed in the CSWMP and FERSP. Both were approved by the Department in late 2021.</p> <p>There have been no floods on MPWS3 to date.</p> <p>Controls have been installed as per the ESCP and are inspected regularly by both Georgiou.</p> <p>The CPESC is attending site each month and reporting on the adequacy of controls.</p> | Compliant         |
| B30                         | Prior to the commencement of construction, the Applicant must implement measures to manage Acid Sulfate Soils. These measures must include handling, treatment, monitoring of water quality at treatment areas and disposal of Acid Sulfate Soils  | Letter DPE to Qube 12/11/21 (approval MPW3 CSWMP)  | Stormwater and flood flows are addressed in the CSWMP and FERSP. Both were approved by the Department in late 2021.   | Compliant         |



| Unique ID                               | Compliance Requirement   | Evidence Collected  | Independent Audit Findings and recommendations   | Compliance Status |
|---|--|---|--|-------------------|
|   |  | Acid Sulfate Soil Management Plan Moorebank Precinct West Site, EP Risk, 30/01/20<br><br>CPESC Inspection Reports, 29/2/2023 from ErSed.  | There have been no floods on MPW3 to date.<br><br>Controls have been installed as per the ESCP and are inspected regularly by both Georgiou.   |                   |
| <b>Flood Management</b>                 |  |   |  |                   |
| B31                                     | Prior to the commencement of construction, the Applicant must prepare and implement for the duration of construction:<br><br>a) flood warning and notification procedures for construction workers on site;<br>b) evacuation and refuge protocols; and<br>c) the Flood Emergency Response Sub-Plan required under condition B23.   | Flood evacuation (site closure), Georgiou, 12/07/2022. Debrief conducted 04/07/2022<br><br>Construction Emergency Response Plan Moorebank Precinct West Stage 2 and Stage 3, SIMTA, 29/06/21 (the ERP, incorporating the FERSP)<br><br>Letter DPE to Qube, 07/09/21 (approval of MPW3 CEMP, CCS, CERP (including FERSP)   | Flood evacuation (site closure), Georgiou, 12/07/2022. Debrief conducted 04/07/2022<br><br>The existing flood risk probability is presented in the FERSP. No work areas are at risk inundation. The FERSP presents evacuation protocols.<br><br>Drills are required annually.  | Compliant         |
| <b>Roadworks and Access</b>             |  |   |  |                   |
| B32                                     | The Applicant must ensure that access points to the site are as approved under MPW Stage 2 (SSD 7709).   | Site inspection 15/02/2023  | There have been no changes to site access approved under MPWS2. Chatham Ave is the access for MPWS3.   | Compliant         |
| B33                                     | Prior to the commencement of construction, the Applicant must submit design plans to the Certifier which demonstrate that the proposed internal roads comply with Table 6.8b of Planning for Bush Fire Protection 2019.  | Email from J Wyndham Prince to Mckenzie Group, 21/09/21<br><br>Construction Certificate No. 190359/06, Mckenzie Group 28/10/2021  | J Wyndham Prince submitted details to confirm compliance that road complied with Bush Fire code to the Certifier as part of the Crown Certificate application. The Certifier verified compliance through issue of the Construction Certificate.  | Compliant         |
| <b>Construction Access arrangements</b> |  |   |  |                   |
| B34                                     | Prior to the commencement of construction, evidence of compliance of construction parking and access arrangements with the following requirements must be submitted to the Certifier:<br><br>a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the Development are constructed and maintained in accordance with the latest versions of AS 2890.1-2004, AS 2890.6-2009 and AS 2890.2-2002 for heavy vehicle usage;<br>b) the swept path of the longest construction vehicle entering and exiting the site in association with the new work, as well as maneuverability through the site, is in accordance with the latest version of AS 2890.2;<br>c) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;<br>d) all vehicles are wholly contained on site before being required to stop;<br>e) all vehicles must enter and leave the site in a forward direction;<br>f) all loading and unloading of materials are carried out on-site;<br>g) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, has been addressed; and | Interview with auditee and site inspection 15/02/2023<br><br>Construction Traffic and Access Management Plan Moorebank Precinct West Stage 2 and Moorebank Precinct West Stage 3, SIMTA, 14/09/21 (the CTAMP)<br><br>Email J Wyndham Prince to Mckenzie Group, 06/09/21 (submission CEMP, CTAMP, CNVMP, CSWMP, FERSP CCS to Certifier)<br><br>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<br><br>Vehicle Management Plan (Chatham Ave) dated 14/02/2023<br><br>MPW VMP 21/12/2022 (Overarching Plan) | During site inspection the following were observed:<br><br>a) internal roads, driveways and parking associated with the Development were constructed and maintained accordingly<br>b) the swept path of the longest construction vehicle entering and exiting the site in association with the new work were implemented accordingly<br>c) heavy vehicles and bins associated with the development were placed accordingly<br>d) all vehicles were contained on site before being required to stop<br>e) all vehicles that were entering and leaving the site were in forward direction<br>f) all loading and unloading of materials were conducted accordingly. | Compliant         |



| Unique ID                                  | Compliance Requirement  | Evidence Collected  | Independent Audit Findings and recommendations   | Compliance Status |
|--|---|---|--|-------------------|
|  | h) heavy vehicles used for haulage of imported fill must not use Cambridge Avenue during construction and operation of the development  |   |  |                   |
| Temporary Construction Works Compound Area |   |   |  |                   |
| B35  | <p>Prior to the commencement of construction, the Applicant must submit revised Construction Layout Drawings to the Planning Secretary for approval. The revised Construction Layout Drawings must show the final layout of key elements of the Temporary Construction Works Compound Area at Appendix 1 and demonstrate the siting of the:</p> <ul style="list-style-type: none"> <li>a) main construction, operation and maintenance compound, including staff amenities, offices and training rooms, staff kitchen and café facilities (approximately 20,000m<sup>2</sup>);</li> <li>b) hardstand, laydown and materials stockpile areas (approximately 20,000m<sup>2</sup> and 25,000m<sup>2</sup>);</li> <li>c) materials storage area and car parking (approximately 20,000m<sup>2</sup>); and</li> <li>d) provision for a permanent access road and temporary loop road.</li> </ul>  | <p>Interview with auditee and site inspection 15/02/2023</p> <p>Lodgment to the Department's portal dated 24/04/2020 re: staged development for construction compound and associated hardstand and laydown facilities including installation of access road(s) and subdivision of the MPW site.</p> <p>Submission of MPW Civil works, soil and water MPW Stage 3 SSD 10431 Final Plan of Subdivision – stamped.</p> | <p>The evidence sighted and reviewed satisfies the condition.</p> <p>Lodgment to the Department's portal dated 24/04/2020 re: staged development for construction compound and associated hardstand and laydown facilities including installation of access road(s) and subdivision of the MPW site.</p> <p>Also attached, submission of MPW Civil works, soil and water MPW Stage 3 SSD 10431 Final Plan of Subdivision – stamped.</p>          | Compliant         |
| PART C: DURING CONSTRUCTION                |   |   |  |                   |
| Site Notice                                |   |   |  |                   |
| C1   | <p>A site notice(s):</p> <ul style="list-style-type: none"> <li>a) must be prominently displayed at the boundaries of the site during construction for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifier and Structural Engineer is to satisfy the following requirements;</li> <li>b) minimum dimensions of the notice must measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size;</li> <li>c) the notice is to be durable and weatherproof and is to be displayed throughout the works period;</li> <li>d) the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and</li> <li>e) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.</li> </ul> | <p>Site inspection 15/02/2023</p>   | <p>The site notices have been erected along Moorebank Avenue.</p> <p>A site notice was sighted during the site inspection with the following observation:</p> <ul style="list-style-type: none"> <li>a) prominently displayed at the boundaries at site</li> <li>b) comply with the required dimension</li> <li>c) made from durable materials</li> <li>d) required data was indicated in the site notice</li> <li>e) mounted visibly</li> </ul> | Compliant         |
| Operation of Plant and Equipment           |   |   |  |                   |
| C2   | <p>All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.</p>  | <p>Georgiou Beakon System Plant Register and Plant Competency Assessments, viewed 15/2/2023</p> <p>Georgiou Project Induction (Moorebank District), Jan 2023</p> <p>Bob Cat T650 Rego. No. 01398E dated 10/9/2022 – 10/9/2023</p>   | <p>The plant register is under Georgiou Beakon System, which identifies all plant on site (across MPWS2 and MPWS3). Beakon system identifies all key plant parameters, service histories and checks, risk assessments for high-risk plant. The Plant Competency Assessments identify operator competencies which ensures plant is safely used.</p> <p>Sighted recodes as follows:</p>  | Compliant         |



| Unique ID          | Compliance Requirement   | Evidence Collected   | Independent Audit Findings and recommendations   | Compliance Status |
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|                    |  |  | <ul style="list-style-type: none"> <li>- PLR_6849 Excavator inspected 12/9/2022 using the site plan/equipment compliance checklist (AUD 3989). Last used 20/1/2023. Rego No. 20/4/2022-20/4/2023.</li> <li>- Bob Cat T650 Rego. No. 01398E dated 10/9/2022 – 10/9/2023.</li> <li>- Detailed Hazard Inspection for 01398E HL Pozi completed 14/12/2022</li> </ul> <p>No works being conducted at the time of audit for MPWS3, but works in the past 6 months included: Landscaping and eco blanket installation, minor utility works, streetlight installation and footpath installation.</p> |                   |
| Construction Hours |  |  |  |                   |
| C3                 | <p>Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:</p> <ul style="list-style-type: none"> <li>a) between 7am and 6pm, Mondays to Fridays inclusive; and</li> <li>b) between 8am and 1pm, Saturdays.</li> </ul> <p>No work may be carried out on Sundays or public holidays.</p>   | <p>Moorebank Precinct West Stage 2 / Stage 3 Construction Noise and Vibration Management Plan, Renzo Tonin, 12/08/21 (the CNVMP) updated 17/12/2021.</p> <p>Letter DPE to Qube, 25/10/21 (approval of the CNVMP).</p> <p>Georgiou Project Induction (Moorebank District), Georgiou January 2023</p> <p>Georgiou SharePoint, Delivery Driver Induction. Induction document was viewed 15/02/23.</p> <p>Interview with auditees and site inspection 15/02/2023</p> | <p>Hours are set out in the CNVMP and communicated to the workforce through Project inductions.</p> <p>The Project team is not aware of any planned or unplanned OOHW on MPW3 during the audit period.</p>   | Compliant         |
| C4                 | <p>Construction activities may be undertaken outside of the hours in condition C3 if required:</p> <ul style="list-style-type: none"> <li>a) by the Police or a public authority for the delivery of vehicles, plant or materials; or</li> <li>b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or</li> <li>c) where the works are inaudible at the nearest sensitive receivers;</li> <li>d) where a variation is approved in advance in writing by the Planning Secretary or his nominee if appropriate justification is provided for the works; or</li> <li>e) where they are undertaken in accordance with an Out-of-Hours Work Protocol under condition B21(i).</li> </ul> | <p>Moorebank Precinct West Stage 2 / Stage 3 Construction Noise and Vibration Management Plan, Renzo Tonin, 12/08/21 (the CNVMP) updated 17/12/2021</p> <p>Letter DPE to Qube, 25/10/21 (approval of the CNVMP).</p> <p>Georgiou Project Induction (Moorebank District), Georgiou January 2023</p> <p>Georgiou SharePoint, Delivery Driver Induction. Induction document was viewed 15/02/23.</p> <p>Interview with auditees and site inspection 15/02/2023</p>  | <p>Hours are set out in the CNVMP and communicated to the workforce through Project inductions.</p> <p>The Project team is not aware of any planned or unplanned OOHW on MPWS3 during the audit period.</p>  | Not Triggered     |
| C5                 | <p>Notification of such construction activities as referenced in condition C4 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.</p>   | <p>Moorebank Precinct West Stage 2 / Stage 3 Construction Noise and Vibration Management Plan, Renzo Tonin, 12/08/21 (the CNVMP) updated 17/12/2021.</p> <p>Letter DPE to Qube, 25/10/21 (approval of the CNVMP).</p>  | <p>Hours are set out in the CNVMP and communicated to the workforce through Project inductions.</p> <p>The Project team is not aware of any planned or unplanned OOHW on MPWS3 during the audit period.</p>  | Not Triggered     |



| Unique ID                          | Compliance Requirement  | Evidence Collected   | Independent Audit Findings and recommendations   | Compliance Status |
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|                                    |   | <p>Georgiou Project Induction (Moorebank District), Georgiou January 2023</p> <p>Georgiou SharePoint, Delivery Driver Induction. Induction document was viewed 15/02/23.</p> <p>Interview with auditees and Site inspection 15/02/2023</p>   |  |                   |
| C6                                 | <p>Rock breaking, rock hammering, sheet piling, pile driving, and similar activities may only be carried out between the following hours:</p> <p>a) 9am to 12pm, Monday to Friday;</p> <p>b) 2pm to 5pm Monday to Friday; and</p> <p>c) 9am to 12pm, Saturday.</p>  | <p>Moorebank Precinct West Stage 2 / Stage 3 Construction Noise and Vibration Management Plan, Renzo Tonin, 12/08/21 (the CNVMP) updated 17/12/2021.</p> <p>Letter DPE to Qube, 25/10/21 (approval of the CNVMP).</p> <p>Site inspection 15/02/2023</p>  | <p>The restricted hours are included in the CNVMP works.</p> <p>The works required on MPWS3 to date have not required these high noise activities.</p>   | Not Triggered     |
| Implementation of Management Plans |   |  |  |                   |
| C7                                 | <p>The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans).</p>   | <p>Interview with auditee and site inspection 15/02/2023</p> <p>ER Site inspections from Georgiou and the ER:</p> <ul style="list-style-type: none"> <li>- 18/8/2022</li> <li>- 01/09/2022 and 29/9/2022</li> <li>- 13/10/2022</li> <li>- 10/11/2022 and 23/11/2022</li> <li>- 8/12/2022</li> <li>- 13/01/2023 and 25/01/2023</li> </ul>   | <p>An assessment of requirements from the consent and selected commitments from the CEMP and sub-plans indicates that the plans are being implemented on site. The internal audit confirmed compliance and implementation of the CEMP.</p> <p>Regular site inspection by the ER and Georgiou were conducted to confirm implementation of the CEMP and subplans. Sighted reports of fortnightly site inspections from the ER: 18/8/2022, 01/09/2022, 29/9/2022, 13/10/2022, 10/11/2022, 23/11/2022, 8/12/2022, 13/01/2023 and 25/01/2023.</p> <p>Implementation of mitigation measures are verified during the weekly site inspections. Refer to Appendix E for photos taken during site inspection noting the controls implemented onsite.</p> | Compliant         |
| No Obstruction of Public Way       |   |  |  |                   |
| C8                                 | <p>The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.</p>  | <p>Interview with auditee and site inspection 15/02/2023</p>   | <p>No obstructions have been observed. There is no public access on the western side of Moorebank Ave along the entire length of the MPWS3 site.</p>   | Compliant         |
| Construction Noise Limits          |   |  |  |                   |
| C9                                 | <p>The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Sub-Plan.</p> | <p>Moorebank Precinct West Stage 2 / Stage 3 Construction Noise and Vibration Management Plan, Renzo Tonin, 12/08/21 (the CNVMP) updated 17/12/2021.</p> <p>Letter DPE to Qube, 25/10/21 (approval of the CNVMP).</p> <p>Georgiou Project Induction (Moorebank District), Georgiou January 2023</p> <p>Georgiou SharePoint, Delivery Driver Induction. Induction document was viewed 15/02/23.</p> | <p>Works carried out during the audit period did not include any noise works.</p> <p>As set out in section 4.4 of the CNVMP there are no activities by which it will exceed the NMLs. Regardless, Georgiou are adhering to hours, implementing quackers on site, the VMP in the CTAMP is such that vehicle movements involving reversing are negligible.</p> <p>No complaints received for MPW3 to date.</p>   | Compliant         |



| Unique ID                 | Compliance Requirement   | Evidence Collected   | Independent Audit Findings and recommendations   | Compliance Status |
|---------------------------|--|--|--|-------------------|
|                           |  | Complaints register current to 31/01/2023  |  |                   |
| C10                       | The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition C3  | Moorebank Precinct West Stage 2 / Stage 3 Construction Noise and Vibration Management Plan, Renzo Tonin, 12/08/21 (the CNVMP) updated 17/12/2021.<br><br>Letter DPE to Qube, 25/10/21 (approval of the CNVMP).<br><br>Georgiou Project Induction (Moorebank District), Georgiou January 2023<br><br>Georgiou SharePoint, Delivery Driver Induction. Induction document was viewed 15/02/23.<br><br>Complaints register current to 31/01/2023 | Permissible hours are included in the CNVMP and communicated to the workforce. The Project team is not aware of any planned or unplanned OOHW on MPWS3 to date. No complaints received regarding hours of work.  | Compliant         |
| C11                       | The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of 'quackers' to minimise noise impacts on surrounding noise sensitive receivers.  | Moorebank Precinct West Stage 2 / Stage 3 Construction Noise and Vibration Management Plan, Renzo Tonin, 12/08/21 (the CNVMP) updated 17/12/2021.<br><br>Georgiou Project Induction, version 6117, 2022.<br><br>Complaints register current to 31/01/2023<br><br>MPW3 Toolbox Talk from Georgiou Group, 10 May 2022 re. broadband reversing controls.  | The CNVMP and Project induction include detail on the need for non-tonal reversing alarms.<br><br>Use of non-tonal movement alarms communicated to workers through the project induction and toolbox talks.<br><br>MPWS3 Toolbox Talk from Georgiou Group, 10 May 2022 re. broadband reversing controls sighted. | Compliant         |
| <b>Vibration Criteria</b> |  |  |  |                   |
| C12                       | Vibration caused by construction at any residence or structure outside the site must be limited to:<br><br>a) for structural damage, the latest version of DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures (German Institute for Standardisation, 1999); and<br><br>b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: a technical guideline (DEC 2006) (as may be updated or replaced from time to time). | Site inspection 15/02/2023   | There are no residential buildings proximal to site.   | Not Triggered     |
| C13                       | Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C12  | Site inspection 15/02/2023   | There are no residential buildings proximal to site. Vibratory compactors must not be used closer than 30 metres from residential buildings  | Not Triggered     |
| C14                       | The limits in conditions C12 and C13 apply unless otherwise outlined in a Construction Noise and Vibration Management Sub-Plan, approved as part of the CEMP required by condition B17 of this consent.  | Moorebank Precinct West Stage 2 / Stage 3 Construction Noise and Vibration Management Plan, Renzo Tonin, 12/08/21 (the CNVMP) updated 17/12/2021.  | Section 5.1.3 of the CNVMP includes details on the management of vibration in the event safe working distances cannot be achieved. That being said there are no buildings proximal to the safe working distances for MPWS3   | Not Triggered     |
| <b>Air Quality</b>        |  |  |  |                   |
| C15                       | The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.   | Construction Environmental Management Plan Moorebank Precinct West Stage 2 and Stage 3, SIMTA, 02/12/21 (the CEMP) Appendix Q  | Multiple Water Cart is available and used on site for dust suppression.  | Compliant         |



| Unique ID            | Compliance Requirement  | Evidence Collected  | Independent Audit Findings and recommendations   | Compliance Status |
|----------------------|---|---|--|-------------------|
|                      |   | <p>Site inspection 15/02/2023</p> <p>Georgiou Beacon System erosion and sediment control inspection records, current to Jan 2023</p> <p>Georgiou Beacon System, inspection folder current to Feb 2023</p> <p>Primary ESCP, Rev 9, Georgiou</p> <p>CPESC Inspection Reports, 29/2/2023 from ErSed.</p> <p>Complaints register current to 31/01/2023</p>  | <p>Low dust generating activities for the past 6 months on MPWS3. Truck covers are a requirement within the CTAMP and Driver Code of Conduct. That being said there has been negligible import of material for MPWS3.</p> <p>Air quality control measures are included in Appendix Q of the CEMP.</p> <p>No stockpiles in MPWS3 site. Exposed areas are limited and have been stabilized (for the purposes of building the road). Non active work areas have been polymered.</p> <p>Landscaping and footpath (concrete) has been done.</p> <p>The MPW site access was established under MPWS2.</p> |                   |
| C16                  | <p>During construction, the Applicant must ensure that:</p> <ul style="list-style-type: none"> <li>a) exposed surfaces and stockpiles are suppressed by regular watering;</li> <li>b) all trucks entering or leaving the site with loads have their loads covered;</li> <li>c) trucks associated with the development do not track dirt onto the public road network;</li> <li>d) public roads used by these trucks are kept clean; and</li> <li>e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.</li> </ul> | <p>Construction Environmental Management Plan Moorebank Precinct West Stage 2 and Stage 3, SIMTA, 02/12/21 (the CEMP) Appendix Q</p> <p>Site inspection 15/02/2023</p> <p>Georgiou Beacon System erosion and sediment control inspection records, current to Jan 2023</p> <p>Georgiou Beacon System, inspection folder current to 17/08/22</p> <p>Dust deposition results from Aug 2022 to Jan 2023 were presented.</p> <p>Primary ESCP, Rev 9, Georgiou</p> <p>CPESC Inspection Reports, 29/2/2023 from ErSed.</p> <p>Complaints register current to 31/01/2023</p> <p>Georgiou SharePoint, Delivery Driver Induction. Induction document was viewed 15/02/23.</p> | <p>No import or export of material for MPWS3.</p> <p>There are negligible stockpiles on the MPWS3 active work site. Exposed areas are limited and have been stabilized (for the purposes of building the road).</p> <p>Truck covers are a requirement within the CTAMP and Driver Code of Conduct.</p> <p>The MPW site access was established under MPWS2 and is stabilized with a wheel wash available.</p>   | Compliant         |
| C17                  | <p>The Applicant must ensure dust emissions generated by the development do not cause exceedances of the following criteria at private property not associated with the development:</p> <ul style="list-style-type: none"> <li>a) 2 g/m2/month maximum increase in deposited dust level; and</li> <li>b) 4 g/m2/month maximum deposited dust level.</li> </ul>   | <p>Dust deposition results from August 2022 to January 2023 were presented.</p>   | <p>Dust deposition results are within criteria. Reports from August 2022 to January 2023 with analytical results were provided.</p> <p>There was no exceedance associated with MPWS3.</p>  | Compliant         |
| Prevention of Odours |   |   |  |                   |
| C18                  | <p>The Applicant must ensure the development does not cause or permit the emission of any odour, which may be offensive odour (as defined in the POEO Act) outside of the premises (as defined in the POEO Act).</p>  | <p>Environmental Representative MRW S2 &amp; S3 Site Inspection Report dated 29/09/22 prepared by Pitt &amp; Sherry</p> <p>Construction Environmental Management Plan Moorebank Precinct West Stage 2 and Stage 3, SIMTA, 02/12/21 (the CEMP) Appendix Q</p> <p>Site inspection 15/02/2023</p>  | <p>Mitigation measures and environmental concerns are monitored by the RAP.</p> <p>The CEMP includes details on the management of air quality (including odours).</p> <p>No odours have been noted by the ER during its inspections.</p> <p>No odours were observed on site.</p>   | Compliant         |



| Unique ID  | Compliance Requirement  | Evidence Collected   | Independent Audit Findings and recommendations  | Compliance Status |
|--|---|--|---|-------------------|
|  |   | <p>Complaints register current to 31/01/2023</p> <p>MPW S3 SSD 10431 - ER Monthly Reports from Pitt &amp; Sherry from August 2022 to January 2023.</p>   | <p>No complaints regarding this requirement.</p> <p>The following Monthly Reports from Pitt &amp; Sherry were presented:</p> <ul style="list-style-type: none"> <li>- August 2022 submitted 8/9/2022.</li> <li>- September 2022 submitted 14/10/2022 (10 days). An extension of time was requested 29/9/22 and approved 30/9/2022.</li> <li>- October 2022 submitted 11/11/2022 (9 days). An extension of time was requested 1/11/22 and approved 4/11/2022.</li> <li>- November 2022 submitted 5/12/2022.</li> <li>- December 2022 submitted 5/1/2023.</li> <li>- January 2023 submitted 22/2/2023. Acceptance of late submission received 21/2/2023.</li> </ul> |                   |
| Soil and Water                                       |   |  |   |                   |
| C19  | All erosion and sediment control measures must be effectively implemented and maintained at design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment. Erosion and sediment control techniques, as a minimum, are to be in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004) commonly referred to as the 'Blue Book'. | <p>Construction Soil and Water Management Plan Moorebank Logistic Park Precinct West Stage 2 &amp; Stage 3 Costin Roe, 07/09/21 (the CSWMP) updated 30/11/2021</p> <p>Post rainfall inspection 14/08/22 (following 5mm and 9mm events over 3 days)</p> <p>ER Site Inspection MPWS2 and S3 18/8/2022 showing dewatering continues</p> <p>Primary ESCP, Rev 9, Georgiou</p> <p>Georgiou Beacon System erosion and sediment control inspection records, current to Jan 2023</p> <p>Georgiou drone footage folder</p> <p>CPESC Inspection Reports, 29/2/2023 from ErSed.</p> | <p>The CSWMP details the controls to be applied to manage soil and water across MPW. A Primary ESCP has been prepared which sections out catchments in accordance with C21 below.</p> <p>General enviro inspections are occurring weekly and include checks on soil and water controls. Sighted ER Site Inspection MPWS2 and S3 from August 2022 to January 2023</p> <p>Post rainfall inspections are occurring and also include assessment of controls.</p> <p>One basin services MPWS3 which allows for capture and then transfer the stormwater from the roadway.</p> <p>With the landscaping there now filter trip.</p>                                       | Compliant         |
| Land Disturbance, Earthworks and Importation of Fill |   |  |   |                   |
| C20  | <p>The Applicant must:</p> <ol style="list-style-type: none"> <li>a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;</li> <li>b) keep accurate records of the source, volume and type of fill imported to, and material removed from, the site; and</li> <li>c) make these records available to the Certifier, Department or EPA upon request.</li> </ol>  | <p>Interview with auditees and site inspection 15/02/2023</p>  | <p>The auditees note that there has not been any fill imported during the audit period.</p>   | Not Triggered     |
| C21  | <p>Land disturbance and land filling activities across the site must be undertaken:</p> <ol style="list-style-type: none"> <li>a) in a phased manner, impacting a maximum contiguous area of sixty-five hectares at any one time; and</li> </ol>  | <p>Primary ESCP, Rev 9, Georgiou</p> <p>CPESC Inspection Reports, 29/2/2023 from ErSed.</p> <p>Interview with auditees and site inspection 15/02/2023</p>  | <p>A Primary ESCP has been prepared which sections out catchments in accordance with C21 and includes C factors.</p> <p>No new areas have been disturbed beyond that disturbed by MPWS2). MPWS3 has been stabilized (i.e.: the base layers of the road constructed).</p>  | Not Triggered     |



| Unique ID                                 | Compliance Requirement  | Evidence Collected   | Independent Audit Findings and recommendations  | Compliance Status |
|---|---|--|---|-------------------|
|   | <p>b) with no disturbance (including vegetation clearing) of another area (other than the construction of erosion and sediments control measures and associated drainage for the separation of clean and dirty water) until:</p> <ol style="list-style-type: none"> <li>I. a C-factor of 0.05 has been achieved on the previous phase; and</li> <li>II. at least 75% of the permanent stabilisation works have been implemented for the previous phase; and</li> <li>III. at least 95% of all the permanent stabilisation works on any other previously disturbed area have been implemented.</li> </ol> <p><i>Note 1: For the purposes of this condition, permanent stabilisation works include established grass cover.</i></p> <p><i>Note 2: For the avoidance of doubt, the site incorporates land across Moorebank Precinct West shown in Appendix 1, and subject of either MPW Stage 2 consent or this development.</i></p> |  |   |                   |
| C22                                       | Stockpiling of imported fill is not permitted for longer than 6 months before placement.  | Interview with auditee and site inspection<br>15/02/2023   | The Project team advises that no import of uncompacted fill has occurred for MPWS3. No stockpiling has occurred.  | Not Triggered     |
| C23                                       | Stockpiles must: <ol style="list-style-type: none"> <li>a) not exceed 10 m in height;</li> <li>b) be benched over 4 m in height;</li> <li>c) have maximum of 1V:3H slopes; and</li> <li>d) be stabilised if not worked on for more than 10 days.</li> </ol>   | Interview with auditee and site inspection<br>15/02/2023   | The Project team advises that no import of uncompacted fill has occurred for MPWS3. No stockpiling has occurred.  | Not Triggered     |
| C24                                       | Placed fill must be stabilised if construction does not commence within 10 days.  | Interview with auditee and site inspection<br>15/02/2023   | The Project team advises that no import of uncompacted fill has occurred for MPWS3. No stockpiling has occurred.  | Not Triggered     |
| C25                                       | 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.   | Interview with auditee and site inspection<br>15/02/2023<br><br>PIWW-RCG-AR-DWG-0101   | <p>The Project team advises that no import of uncompacted fill has occurred for MPWS3.</p> <p>No fill batters work required for PW3.</p> <p>The riparian zone is proximal to the 1:100-year flood line. No works were observed to have extended into the riparian zone. Works to date have not extended beyond the construction boundary defined by the Revised Development Layout Drawings (MPWS2 Condition B52).</p>  | Not Triggered     |
| <b>Disposal of Seepage and Stormwater</b> |   |  |   |                   |
| C26                                       | Adequate provisions must be made to collect and discharge stormwater drainage during construction to the satisfaction of the Certifier. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.  | <p>Construction Soil and Water Management Plan Moorebank Logistic Park Precinct West Stage 2 &amp; Stage 3 Costin Roe, 07/09/21 (the CSWMP) updated 30/11/2021.</p> <p>Email J Wyndham Prince to Mckenzie Group, 06/09/21 (submission CEMP, CTAMP, CNVMP, CSWMP, FERSP CCS to Certifier)</p> | <p>The provisions for the collection and discharge of stormwater drainage during construction was included in the CSWMP and submitted to the Certifier on 06/09/21. The CSWMP was also approved by the Department on 12/11/2021.</p> <p>The audit noted that all drainage is block off and there is no discharge to any Council asset.</p> <p><b>Note:</b> The auditee indicated that stormwater associated with Stage 3 will not be connected to Council stormwater drainage. Stormwater</p> | Compliant         |



| Unique ID  | Compliance Requirement  | Evidence Collected  | Independent Audit Findings and recommendations   | Compliance Status |
|--|---|---|--|-------------------|
|  |   | Letter DPE to Qube 12/11/21 (approval MPW3 CSWMP)   | will flow to Georges River and Anzac Creek. Therefore, the second part of this condition will never be triggered.  |                   |
| <b>Emergency Management</b>                            |   |   |  |                   |
| C27  | The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction   | <p>Construction Emergency Response Plan Moorebank Precinct West Stage 2 and Stage 3, SIMTA, 29/06/21 (the ERP, incorporating the FERSP)</p> <p>Letter DPE to Qube, 07/09/21 (approval of MPW3 CEMP, CCS, CERP (including FERSP))</p> <p>Flood evacuation – site closure on the 4/7/2022</p> | <p>The existing flood risk probability is presented in the FERSP. No work areas are at risk inundation. The FERSP presents evacuation protocols.</p> <p>Emergency Response Process and Muster Point diagram included in the induction presentation slides 43 and 44.</p> <p>Drill requirements are relevant to all types of events (including floods) and the protocols are followed for MPWS3.</p> <p>Sighted Flood evacuation – site closure on the 4/7/2022</p> | Compliant         |
| <b>Unexpected Finds Protocol – Aboriginal Heritage</b> |   |   |  |                   |
| C28  | In the event that surface disturbance identifies an Aboriginal Object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by Heritage NSW and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage NSW to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of Heritage NSW. | Interview with auditees 15/02/2023  | No unexpected finds on MPW3 to date.   | Not Triggered     |
| <b>Unexpected Finds Protocol – Historic Heritage</b>   |   |   |  |                   |
| C29  | If any unexpected Relics are uncovered during the work, then all works must cease immediately in that area and Heritage NSW must be contacted. Depending on the possible significance of the Relic, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of the Heritage NSW.   | Interview with auditees 15/02/2023  | No unexpected finds on MPW3 to date.   | Not Triggered     |
| <b>Waste Storage and Processing</b>                    |   |   |  |                   |
| C30  | All waste generated during construction must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighboring public or private properties   | <p>Site inspection 15/02/2023</p> <p>Waste register current to Jan 2023 (combined for MPW2 and MPW3)</p> <p>Monthly Waste Report (Jan 2023) from Aussie Skips</p>   | <p>All waste generated during construction were always secured and maintained within designated waste storage areas.</p> <p>For Jan 2023 combined report for MPWS2 and MPWS3 was sighted from Aussie Skips. Waste Register (Jan-22 to Jan-23) indicates that in average 86% has been recycled / reused and 13% going to landfill.</p>  | Compliant         |
| C31  | All waste generated during construction must be assessed, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).  | <p>Site inspection 15/02/2023</p> <p>Monthly Waste Report as of Jan 2023 prepared by Aussie Skip Bin Services P/L</p>   | MPWS3 has generated minimal waste as the construction does not involve bulk excavation, material recovered is from fill material placed under MPWS1 and MPWS2 and is reused on MPW. Waste generated is pre-classified as General Solid Waste under the Waste Classification Guidelines.  | Compliant         |



| Unique ID            | Compliance Requirement   | Evidence Collected   | Independent Audit Findings and recommendations   | Compliance Status |
|----------------------|--|--|--|-------------------|
| C32                  | The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse.   | Interview with auditee and site inspection 15/02/2023<br><br>Complaints register current to 31/01/2023<br><br>ER inspection reports sighted from August 2022 to January 2023.  | No concrete works during sit inspection, however, Georgiou confirmed that they used concrete wash bay set up in MPWS3 during the footpath works.   | Compliant         |
| C33                  | The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.   | Monthly Waste Report Jan 2023 prepared by Aussie Skip Bin Services P/L<br><br>Aussie Skips Recycling Pty Ltd waste storage and resource recovery EPLs sighted (EPL 20885 and EPL 21389).<br><br>Georgiou Group Waste Register was sighted and up to date to Jan 2023 | Construction waste is segregated into maximise recycling. Quantities, types, and dates are recorded by the waste contractor and internally. All material is pre-classified under the Waste Classification Guidelines.<br><br>The percentage of waste sent to landfill or recycled is included in monthly waste breakdown reports. Disposal / recycling facilities are identified in the reports.   | Compliant         |
| C34                  | The Applicant must ensure that the removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.   | Interview with auditees and site inspection 15/02/2023   | No asbestos removal occurred during the audit period.  | Not Triggered     |
| Outdoor Lighting     |  |  |  |                   |
| C35                  | The Applicant must ensure that all external lighting is constructed and maintained in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.   | Email J Wyndham Prince to Mckenzie Group, 06/09/21<br><br>Construction Certificate No. 190359/06, Mckenzie Group 28/10/2021<br>Complaints register current to 31/01/2023   | Street lighting has been installed on MPWS3 but is not operational yet. Lighting design was submitted to the Certifier as part of the Construction Certificate application. The application confirmed compliance with this requirement and was verified by the Certifier through issue of the Construction Certificate.<br><br>Temporary lighting is only required on the MPW main construction compound. Lights are directed to receivers. No complaints have been received regarding this requirement.   | Compliant         |
| Site Audit Statement |  |  |  |                   |
| C36                  | The Applicant must ensure that the Site Audit Report and Section A Site Audit Statement prepared under condition B169 of MPW Stage 2 (SSD 7709) are implemented for the duration of construction and operation of the development.   | Interview with auditees 15/02/2023<br><br>Long-Term Environmental Management Plan Moorebank Precinct West (MPW), EP Risk, 01/12/20   | The SAR in B169 of MPW2 recommended implementation of the LTEMP. The LTEMP sets out requirements around the handling of fill across the site including criteria for the reuse of PFAS impacted soils on various construction zones, depending on its PFAS concentration. Excavated material that exceeds the nominated criteria or has insufficient data available needs to be stockpiled on engineered pads to prevent interaction with surface and groundwater. The LTEMP also requires only the import (from off-site) of clean fill and waste classification of exported material. MPWS3 has not involved excavation below the separation layer of MPWS2 and has not involved material import or export.<br><br>Verification of implementation of the SAR and the LTEMP is being monitored, and will be signed off, by the Contaminated Sites Auditor. | Compliant         |
| C37                  | Upon completion of importation and placement of fill on any part of the site (inclusive of all fill imported and/or placed under the conditions of this consent, as well as under SSD 7709), and prior to construction of permanent built surface works on that part of the site under any planning approval, the Applicant must submit to the Planning Secretary a Site | Interview with auditee site inspection 15/02/2023  | Verification that the site has been made suitable for its intended land use will be signed off by the Contaminated Site Auditor through the issue of a SAR and SAS for the site. The SAS for the southern ring road appears to have been submitted to the Department prior to  | Compliant         |



| Unique ID                               | Compliance Requirement   | Evidence Collected   | Independent Audit Findings and recommendations   | Compliance Status |
|---|--|--|--|-------------------|
|   | Audit Report/s and Section A Site Audit Statement/s submitted in accordance with condition B171 of MPW Stage 2 (SSD 7709).   | <p>Long-Term Environmental Management Plan Moorebank Precinct West (MPW), EP Risk, 01/12/20</p> <p>Site Audit Statement No. 0301-2020-7 for southern ring road 22/12/2022.</p> <p>DPE submission for southern works made 10/2/2023 (under the MPWS2).</p> <p>Warning letter from DPE 14/2/2023 re. SSD7709</p>   | <p>commencement of construction of permanent built surface works on that land.</p> <p><b>Observation: During the audit, the applicant indicated that a warning letter was issued from the DPE on the 14/02/2023 regarding a failure to satisfy B171 of SSD 7709. This non-compliance will be reported in the Audit Report for MPWS2 (SSD 7709).</b></p>  |                   |
| C38                                     | The requirements of condition C37 may be satisfied by the submission of a Site Audit Report/s and Section A Site Audit Statement/s in accordance with condition B171 of MPW Stage 2 (SSD 7709).                                    | <p>Interview with auditee and Site inspection 15/02/2023</p> <p>Long-Term Environmental Management Plan Moorebank Precinct West (MPW), EP Risk, 01/12/20</p> <p>Site Audit Statement No. 0301-2020-7 for southern ring road 22/12/2022.</p> <p>Submission to the DPE for southern works was made on the 10/2/2023 through the planning portal.</p>   | <p>Site Audit Statement No. 0301-2020-7 for Southern ring road 22/12/2022.</p> <p>Submission to the DPE for southern works was made on the 10/2/2023 this was done under the MPWS2.</p>  | Compliant         |
| Long Term Environmental Management Plan |  |  |  |                   |
| C39                                     | The Applicant must ensure that the Long-Term Environmental Management Plan/s (LTEMP) prepared under condition B172 of MPW Stage 2 (SSD 7709) is/are implemented for the duration of construction and operation of the development. | <p>Interview with auditees 15/02/2023</p> <p>Long-Term Environmental Management Plan Moorebank Precinct West (MPW), EP Risk, 01/12/20 posted I the website.</p> <p>Site Audit Statement No. 0301-2020-7 for Southern ring road 22/12/2022.</p> <p>Submission to the DPE for southern works was made on the 10/2/2023 through the planning portal.</p> <p>Sighted Site Audit Reports for 6/2/2023 (Anzac Ave 2023), 25/11/2022 (INTS 2022) and 26/9/2022 Loop and State Rd.</p> <p>Sighted Site Audit Report 22/12/2022 for the Southern Ring Road from Enviroview.</p> <p>Site Audit Report 21/12/2022 by James Davis of Enviroview Pty Ltd, a NSW EPA Contaminated Land Accredited Site Auditor for the Southern Ring Road (or 'SRR') that is part of Lot 1 in DP 1197707 (parts of proposed Lots 7, 8, 9, 10, and 11) within the Moorebank Logistics Park.</p> <p>Site Audit Statement 0301-2020-7 by James Davis from Enviroview Pty Ltd dated 22/12/2022 for Southern Ring Road Site Audit Area.</p> | <p>Material Tracking Register is up to date and as from the last audit.</p> <p>The SAR in B169 of MPWS2 recommended implementation of the LTEMP. The LTEMP sets out requirements around the handling of fill across the site including criteria for the reuse of PFAS impacted soils on various construction zones, depending on its PFAS concentration. Excavated material that exceeds the nominated criteria or has insufficient data available needs to be stockpiled on engineered pads to prevent interaction with surface and groundwater. The LTEMP also requires only the import (from off-site) of clean fill and waste classification of exported material. MPWS3 has not involved excavation below the separation layer of MPWS2 and has not involved material import or export.</p> <p>Verification of implementation of the SAR and the LTEMP is being monitored, and will be signed off, by the Contaminated Sites Auditor. Sighted Site Audit Reports for:</p> <ul style="list-style-type: none"> <li>- 6/2/2023 - Anzac Ave 2023</li> <li>- 25/11/2022 - INTS 2022</li> <li>- 26/9/2022 - Loop and State Rd</li> <li>- 22/12/2022 - Southern Ring Road</li> </ul> <p>Site Audit Report 21/12/2022 and subsequent SAS produced conducted by James Davis of Enviroview Pty Ltd, a New SSW EPA Contaminated Land Accredited Site Auditor for the Southern Ring Road (or 'SRR') that is part of Lot 1 in DP 1197707 (parts of proposed Lots 7, 8, 9, 10, and 11) within the Moorebank Logistics Park (MLP).</p> | Compliant         |



| Unique ID                       | Compliance Requirement   | Evidence Collected   | Independent Audit Findings and recommendations   | Compliance Status |
|---------------------------------|--|--|--|-------------------|
| C40                             | Any future update to the final approved LTEMP under MPW Stage 2 (SSD 7709) must be prepared in consultation with an NSW EPA accredited Site Auditor. Evidence that the Site Auditor agreed to the updates made to the LTEMP/s prepared under conditions B172 of MPW Stage 2 (SSD 7709) must be submitted to the Planning Secretary.  | Long-Term Environmental Management Plan Moorebank Precinct West (MPW), EP Risk, 01/12/20   | The LTEMP remains unchanged.   | Not Triggered     |
| Independent Environmental Audit |  |  |  |                   |
| C41                             | Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.  | Letter DPE to Aspect, 24/01/2023<br>DPE approval dated 24/01/2023 revised Independent Audit Team Agreement   | WolfPeak were approved as the Independent Auditors on 24/01/2023, before the commencement of the third Independent Audit.<br><br>Audit team approved: Ana Maria Munoz, Annabelle Tungol, Derek Low and Ann Azzopardi   | Compliant         |
| C42                             | Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements.   | Independent Audit No. 2 Audit Report, WolfPeak, 14/10/22<br><br>Independent Audit Post Approval Requirements, DPE, 2020  | The IA2 was conducted in accordance with the IAPAR. The auditor is not aware of the Department providing any feedback on that report. No issues were raised during consultation with the Department as part of this second audit.<br><br>This Independent Audit has been conducted in accordance with ISO 19011 and the IAPAR.   | Compliant         |
| C43                             | The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least 4 weeks' notice to the Applicant of the date or timing upon which the audit must be commenced.   | Interview with auditees 15/02/2023<br><br>Email DPE to WolfPeak 16/08/22 (consultation on audit scope)   | The Project team are not aware of any alternate timeframes being specified by the Department. No alternate timeframes were raised by the Department during consultation on this second audit.  | Not triggered     |
| C44                             | In accordance with the specific requirements in the Independent Audit Post Approval Requirements, the Applicant must:<br><br>a) review and respond to each Independent Audit Report prepared under condition C42 of this consent, or condition C43 where notice is given;<br><br>b) submit the response to the Planning Secretary; and<br><br>c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Planning Secretary. | Site inspection IA2 was 17/08/2022.<br><br>Independent Audit No. 2 Audit Report, WolfPeak, 14/10/2022<br><br>Lodgment to the Department's portal 4/11/2022 MPW Stage 3 Independent Audit Report and applicant response prepared in accordance with C44.  | An extension of time was requested to DPE for the submission of the report and response it on the 6/10/2022. Extension of time was approved by DPE on the 11/10/2022 to submit the report until the 31/10/2022.<br><br>IA2 Final Report was provided to Aspect on the 14/10/2022. The Applicant prepared response to audit findings and submitted to the Department on 4/11/2022.<br><br><b>Non-compliance: The second Audit Report and applicant's response was published in the Project website in February 2023 which is more than 60 days after submission to the Department, therefore this non-compliance is raised against condition C44 (c).</b> | Non-Compliant     |
| C45                             | Independent Audit Reports and the applicant/proponent's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements unless otherwise agreed by the Planning Secretary.   | Site inspection IA2 was 17/08/2022<br><br>IA2 Audit Report, WolfPeak, 14/10/2022<br><br>Lodgment to the Department's portal dated 4/11/2022 re: MPW Stage 3 Independent Audit Report No.2 and applicant response prepared in accordance with C44.<br><br>SSD-10431-PA-30 dated 11/10/2022 – The Department granted an extension for the submission of this audit report to 31/10/2022. WolfPeak had submitted the report on 14/10/2022 and this was lodged to DPE portal 4/11/2022 | An extension of time was requested to DPE for the submission of the audit report (IA2) and response it on the 6/10/2022. Extension of time was approved by DPE on the 11/10/2022 to submit the audit report until the 31/10/2022.<br><br><b>Non-compliance The second Independent Audit site inspection was conducted on 17/08/2022. An application to extend the submission date of the Audit report and the applicant's response to 31/10/2022 was approved by the Department. However, the second Audit Report and applicant's response was not submitted to the Department until 4/11/2022.</b>  | Non-Compliant     |



| Unique ID  | Compliance Requirement   | Evidence Collected              | Independent Audit Findings and recommendations | Compliance Status |
|--|--|---------------------------------|--|-------------------|
| C46  | Notwithstanding the requirements of the Independent Audit Post Approval Requirements, the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.   | The Project is in construction. | This condition is not under this audit period. | Not Triggered     |
| <b>PART D: PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE</b> |  |                                 |  |                   |
| <b>Staging of Subdivision</b>                                  |  |                                 |  |                   |
| D1   | This consent allows staging of subdivision provided that, prior to the issue of the first Subdivision Certificate, the Applicant provides a Subdivision Staging Plan to the Planning Secretary for approval. The Subdivision Staging Plan must clearly identify each stage of the subdivision and the relevant estate works that relate to each stage (including but not limited to site services, internal roads and stormwater drainage).  | -                               | -  | Not Triggered     |
| D2   | If the Planning Secretary approves a Subdivision Staging Plan under condition D1, the Applicant must: <ul style="list-style-type: none"> <li>a) carry out the subdivision in accordance with the approved Subdivision Staging Plan; and</li> <li>b) prior to the issue of a Subdivision Certificate for any stage of the subdivision, all subdivision works, and relevant estate works identified in the approved Subdivision Staging Plan for that stage must be completed.</li> </ul> Any update of the approved Subdivision Staging Plan required under condition D1 must be provided to the Planning Secretary for approval, prior to issue of a Subdivision Certificate for the relevant stage. If an updated Subdivision Staging Plan is approved, the Applicant must comply with the requirements of (a) and (b) in relation to that approved updated plan. | -                               | -  | Not Triggered     |
| <b>Works as Executed Plans</b>                                 |  |                                 |  |                   |
| D3   | Prior to the issue of a Subdivision Certificate, detailed works as executed drawings must be prepared and endorsed by a Registered Surveyor, which show that the relevant estate works (including but not limited to site services, internal roads and stormwater drainage) have been completed. The works as executed drawings must be submitted to the Certifier prior to the issue of a Subdivision Certificate   | -                               | -  | Not Triggered     |
| <b>Statement of Compliance</b>                                 |  |                                 |  |                   |
| D4   | Prior to the issue of a Subdivision Certificate, a Statement of Compliance shall be provided to the Certifier demonstrating that the proposed subdivision is consistent with relevant conditions of any relevant planning approval/development consent (to the extent that they are relevant and required for that stage), including but not limited to MPW Concept Proposal & Stage 1 (SSD 5066), MPW Stage 2 (SSD 7709) and the conditions of this consent.  | -                               | -  | Not Triggered     |
| <b>Easements</b>   |  |                                 |  |                   |
| D5   | The Applicant must create and display on the Subdivision Plan those particular easements as required, inclusive of the requirements of conditions D6-D7 of this consent. The easements must include those easements described for the whole of the MPW site included in Appendix A of the Moorebank Precinct West - Stage 3 - Response to Submissions Report (SSD 10431) (Aspect Environmental, July 2020).  | -                               | -  | Not Triggered     |



| Unique ID                           | Compliance Requirement   | Evidence Collected | Independent Audit Findings and recommendations | Compliance Status |
|-------------------------------------|--|--------------------|--|-------------------|
| D6                                  | The drainage easements must be consistent with the final drainage details approved by the Planning Secretary as part of MPW Stage 2 (SSD 7709) and the conditions of this consent.   | -                  | -  | Not Triggered     |
| D7                                  | The access easements must be consistent with the final access details approved by the Planning Secretary as part of MPW Stage 2 (SSD 7709) and the conditions of this consent.   | -                  | -  | Not Triggered     |
| D8                                  | As part of the Subdivision certification process and prior to lodgment of the Subdivision Plan at the NSW Land Registry Services (LRS), the Applicant must prepare a section 88B instrument as a component of the Subdivision Plan for the creation of all relevant easements, restrictions and covenants. The Subdivision Plan shall provide to the Certifier and the Planning Secretary evidence that all easements required by this approval, have been lodged for registration or registered at the NSW Land Registry Services.  | -                  | -  | Not Triggered     |
| Telecommunications                  |  |                    |  |                   |
| D9                                  | Prior to the issue of a Subdivision Certificate for the development, the Applicant is to provide evidence, satisfactory to the Certifier, that arrangements have been made for: <ul style="list-style-type: none"> <li>a) the installation of fibre-ready facilities to applicable 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</li> <li>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.</li> </ul>   | -                  | -  | Not Triggered     |
| D10                                 | The Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.   | -                  | -  | Not Triggered     |
| Sydney Water Compliance Certificate |  |                    |  |                   |
| D11                                 | Prior to the issue of any Subdivision Certificate, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing to the site under section 73 of the Sydney Water Act 1994.   | -                  | -  | Not Triggered     |
| Operational Management              |  |                    |  |                   |
| D12                                 | Prior to the issue of any Subdivision Certificate, a Precinct Operational Environmental Management Plan (OEMP) for the MPW Site must be prepared and submitted to the Planning Secretary for approval. The OEMP must: <ul style="list-style-type: none"> <li>a) specify that SIMTA, as Qube Holdings Limited, or another nominated single entity named in the OEMP, retains sole responsibility for delivery and ongoing maintenance of estate works (including but not limited to site services, internal roads, stormwater drainage, pedestrian paths, landscaping, lighting of common areas, emergency services including bushfire mitigation, OSD and Water Sensitive Urban Design elements) across the entirety of the Site; and</li> <li>b) prescribes the management and maintenance measures applicable to the estate works described at (a) above.</li> </ul> | -                  | -  | Not Triggered     |
| D13                                 | The Applicant must:  | -                  | -  | Not Triggered     |



| Unique ID                         | Compliance Requirement  | Evidence Collected | Independent Audit Findings and recommendations | Compliance Status |
|-----------------------------------|---|--------------------|--|-------------------|
|                                   | a) not commence subdivision of the development until the OEMP is approved by the Planning Secretary; and<br>b) carry out the operation of 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.<br><br><i>Note: Nothing in this condition precludes the Applicant from construction of permanent built surface works.</i>   |                    |  |                   |
| D14                               | The requirement to comply with the OEMP is to be registered on title.   | -                  | -  | Not Triggered     |
| Evacuation and Emergency Planning |   |                    |  |                   |
| D15                               | Prior to issue of a Subdivision Certificate, a Bush Fire Emergency Management and Evacuation Plan must be prepared by a suitably qualified and experienced person(s) and be consistent with Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan.<br><br><i>Note: A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to occupation of the development</i> | -                  | -  | Not Triggered     |
| PART E: DURING OPERATION          |   |                    |  |                   |
| Community Communication Strategy  |   |                    |  |                   |
| E1                                | The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.   | -                  | -  | Not Triggered     |
| Discharge Limits                  |   |                    |  |                   |
| E2                                | The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters.  | -                  | -  | Not Triggered     |
| Dangerous Good                    |   |                    |  |                   |
| E3                                | The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33 at all times.  | -                  | -  | Not Triggered     |





## **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

24/01/2023

Attention: [REDACTED] Director

Dear [REDACTED]

**Moorebank Precinct West Stage 3 – SSD-10431  
Additional IEA team member nomination**

I refer to your request (SSD-10431-PA-38) for the Planning Secretary to approval the inclusion of an additional auditor to the audit team from WolfPeak Pty Ltd (**WolfPeak**) approved on 14/07/2022 (SSD-10431-PA-24) to undertake the 2023 Independent Environmental Audit for Moorebank Precinct West Stage 3 (**project**) pursuant to SSD 10431 (**Consent**).

The Department of Planning and Environment (**department**) has reviewed the additional nomination and information you have provided and is satisfied that the additional expert is suitably qualified and experienced.

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

In accordance with Condition C41 of the consent and the Independent Audit Post Approval Requirements (Department 2020) (**IPAR**), as nominee of the Planning Secretary, I approve the appointment of the following audit team from WolfPeak to undertake independent environmental audit:

- [REDACTED] - Lead Environmental Auditor
- [REDACTED] - Auditor/Alternate Lead Auditor
- [REDACTED] Auditor/Alternate Lead Auditor
- [REDACTED] - Auditor Support

Please ensure this correspondence is appended to the Independent Environmental Audit Report. The Independent Environmental Audit must be prepared, undertaken and finalised in accordance with Conditions C41 to C46 and the IPAR. Failure to meet these requirements will require revision and resubmission.

The Department also reserves the right to request an alternate auditor or audit team for future audits. While the request to approve the team for the duration of the project is noted, Condition C41 requires that proposed independent auditors must be agreed to by the Planning Secretary prior to the commencement



Department of Planning and Environment

of each individual audit. The Department's position has not changed, and each subsequent audit team will require approval.

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

Yours sincerely



Team Leader Compliance - Metro  
Compliance

As nominee of the Planning Secretary





## APPENDIX C – CONSULTATION RECORDS





**From:** [REDACTED]  
**Sent:** Friday, 10 February 2023 11:49 AM  
**To:** compliance@planning.nsw.gov.au  
**Cc:** [REDACTED]  
**Subject:** Moorebank Intermodal Precinct West - Stage 3 - 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 3, SSD10431 (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 SSD10431 conditions C42, 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-3>

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 audit is planned to take place on the **15 of February 2023**, with the report to be submitted to the Department two months afterwards. 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





## APPENDIX D – SITE INSPECTION PHOTOGRAPHS



| No. | Comment                  | Photograph  |
|-----|--------------------------|---|
| 1   | Site Notice in place     |   |
| 2   | Footpath works completed |  |





| No. | Comment                         | Photograph   |
|-----|---------------------------------|--|
| 3   | Landscaping works completed     |   |
| 4   | Minor utility works in progress |  |




| No. | Comment   | Photograph  |
|-----|---|---|
| 5   | Riparian area demarcated and signage provided along the adjacent boundary                               |   |
| 6   | Riparian area demarcated.<br><br>Erosion and sediment controls (sandbags) covering the stormwater drain |  |



| No. | Comment                            | Photograph  |
|-----|------------------------------------|---|
| 7   | Streetlight installation completed |   |
| 8   | Streetlight installation completed |  |



| No. | Comment                                  | Photograph  |
|-----|--|---|
| 9   | Footpath works continue at the south-end |  |



## APPENDIX E – AUDITOR DECLARATION



## Declaration of Independence - Auditor

|                         |  |
|-------------------------|--|
| Project Name:           | Moorebank Intermodal Precinct West - Stage 3   |
| Consent Number:         | SSD 10431  |
| Description of Project: | Moorebank Precinct West - Stage 3 comprising: <ul style="list-style-type: none"> <li>- staged subdivision of the MPW site into nine allotments</li> <li>- importation of unconsolidated clean fill for compaction up to final land level and structural fill for warehouse pad completion</li> <li>- establishment and use of a temporary construction work compound area in the southern portion of the MPW site</li> <li>- ancillary works to facilitate establishment, access and servicing of the works compound and subdivision.</li> </ul> |
| Project Address:        | Moorebank Avenue, Moorebank, NSW (Lot 1 in DP 1197707 and Lot 100 in DP 1049508).  |
| Proponent:              | Sydney Intermodal Terminal Alliance (SIMTA), as Qube Holdings Ltd  |
| Title of audit          | Independent Audit No. 3  |
| Date:                   | 12 March 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 2020)*;
- 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<br>Exemplar Global Certified Environmental Lead Auditor - [REDACTED] |
| Company:         | WolfPeak Pty Ltd  |



## APPENDIX F – ATTENDANCE SHEET





### INDEPENDENT AUDIT MEETING ATTENDANCE RECORD

| PROJECT (NAME AND APPROVAL NUMBER): |                            | Moorebank Precinct West - stage 3 |                 |                              |  |
|-------------------------------------|----------------------------|-----------------------------------|-----------------|------------------------------|--|
| LOCATION:                           |                            | 400 Moorebank Ave                 |                 |                              |  |
| DATE/TIME (Opening Meeting):        |                            | 15/02/23                          | 9:00am          | DATE/TIME (Closing Meeting): |  |
| Lead Auditor:                       |                            | [REDACTED]                        |                 | 15/02/23 3:45pm              |  |
|                                     |                            | Audit Scope:                      |                 | SSD 10431 conditions         |  |
| NAME                                | POSITION / TITLE           | ORGANISATION                      | SIGNATURE       |                              |  |
|                                     |                            |                                   | Opening Meeting | Closing Meeting              |  |
| [REDACTED]                          | Lead Auditor               | wolfpeak                          | [REDACTED]      |                              |  |
| [REDACTED]                          | Environmental Advisor      | Georgina Group                    | [REDACTED]      |                              |  |
| [REDACTED]                          | Environmental Officer      | Georgina Group                    | [REDACTED]      |                              |  |
| [REDACTED]                          | Associate Director         | Aspect                            | [REDACTED]      |                              |  |
| [REDACTED]                          | Assistant Project Engineer | J. Wyndham Price                  | [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

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