



Moorebank Precinct West Stage 2 (SSD 7709): Submission of Response to March 2024 Independent Audit Report No.4

Item	Ref.	Type	Details of item	Audit Recommendation	Timing	Logos Actions	Evidence of Action
IA4_01	A3	Non-compliance	<p><b>Requirement:</b> <i>Terms of Consent</i></p> <p><i>The development may only be carried out:</i></p> <ul style="list-style-type: none"> <li><i>a) in compliance with the conditions of this consent;</i></li> <li><i>b) in accordance with all written directions of the Planning Secretary;</i></li> <li><i>c) in accordance with the EIS, Response to Submissions (RtS) and Consolidated assessment clarification responses; and</i></li> <li><i>d) in accordance with the management and mitigation measures in <b>Appendix 2.</b></i></li> </ul> <p><b>Non-compliance:</b> Based on the non-compliant conditions identified during this audit, the warning letter, penalty notice received from the Department and the notification for potential of non-compliance on condition B32, condition A3 is considered non-compliant.</p>	Nil	NA	NA	NA

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Item	Ref.	Type	Details of item	Audit Recommendation	Timing	Logos Actions	Evidence of Action
IA4_02	A26	Non-compliance	<p><b>Requirement:</b> <i>The Applicant must provide a copy of the documentation given to the Certifying Authority under Condition A25 to the Planning Secretary within seven days after the Certifying Authority accepts it.</i></p> <p><b>Non-compliance:</b> the External Wall System Disclosure Statement for Warehouse N1 was not submitted to DPHI on seven days after the Certifying Authority accepted.</p> <p>Post approval lodgement to DPHI for condition A26, was made on the 12/7/2023 No. PA-233 including a copy of External Wall System Disclosure Statement – BCA 2019 for Warehouse N1 and N2.</p>	Nil	NA	NA	NA

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Item	Ref.	Type	Details of item	Audit Recommendation	Timing	Logos Actions	Evidence of Action
IA4_03	B32	Non-compliance	<p><b>Requirement:</b> <i>The CPESC must undertake monthly inspections during construction, report on implementation of the SWMP and recommend any improvements to the SWMP and site control measures. The CPESC's report must be provided to the Planning Secretary monthly for the duration of construction or another time period as agreed by the Planning Secretary.</i></p> <p><b>Non-compliance:</b> CPESC Reports for August, September and October 2023 from RCC were not uploaded to the DPHI portal with one month of inspection date. Additionally, no inspection of RCC construction area for November 2023 was carried out.</p> <p>On 18/12/2023 Aspect (as Logos representative) notified the Department of a potential non-compliance against Condition B32 - CPESC Reports for August, September and October 2023 were not uploaded to the DPHI portal within one month of inspection date.</p>	Nil	NA	NA	NA

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IA4_04	C4	Non-compliance	<p><b>Requirement:</b> <i>The Applicant must:</i></p> <p><i>a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and</i></p> <p><i>b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.</i></p> <p><b>Non-compliance:</b> During the audit period the following show causes, warning letter and penalty notice were issued by DPHI to Logos and Richard Crookes Constructions:</p> <ul style="list-style-type: none"> <li>On 20/3/2023, DPHI issued a show cause against RCC (Janus North and Janus South). The show cause identified that RCC failed to carry out activities in accordance with the CEMP/sub-plans and did not implement proper erosion and sediment controls on site. On 30/3/2023, DPHI issued the second show cause against Janus South site. The show cause identified was related to a sediment laden discharge event that occurred between 21-22/02/2023. RCC provided responses to DPHI on 21/4/2023 and on 3/5/2023.</li> <li>Warning letter from DPHI to Logos for breach on Condition C4 dated 29/5/2023.</li> </ul>	Nil	NA	NA	NA



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			<ul style="list-style-type: none"><li>Penalty Notice (PIN) from the DPHI was issued to RCC on the 18/07/2023 for offence against section 4.2 of the EPA Act 1979 and condition C4 of the SSD 7709. The PIN was issued as a result of the site inspections conducted by DPHI on the 28/2/2023 and 20/4/2023 identifying major deficiencies on the erosion and sediment controls implemented on site by RCC. Ref. No. INV-55856966.</li></ul>				