

INDEPENDENT AUDIT REPORT

MOOREBANK INTERMODAL PRECINCT EAST STAGE 2 –
WAREHOUSING SSD-7628

FEBRUARY 2025

Authorisation

Author Name:	[REDACTED]	Reviewer / Approver:	[REDACTED]
Position:	Lead Auditor	Position:	Peer review
Signature:	[REDACTED]	Signature:	[REDACTED]
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Prepared for:
LOGOS Property Group Consortium (LOGOS)
c/o Aspect Environmental Pty Ltd

Prepared by:
WolfPeak Group Pty Ltd

T: 1800 979 716

W: www.wolfpeak.com.au

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ABBREVIATIONS / GLOSSARY

Abbreviation/Term	Description
CEMP	Construction Environment Management Plan
Conditions	Conditions of Consent
DPHI or Department	NSW Department of Planning, Housing and Infrastructure
EIS	Environmental Impact Statement
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)</i>
EP&A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
IA	Independent Audit
IAPAR	Independent Audit Post Approval Requirements, May 2020
MPES2	Moorebank Precinct East Stage 2
MAUW	Moorebank Avenue Upgrade Works
OOHW	Out of Hours Works
OSD	Onsite Detention
POEO	<i>Protection of the Environment Operations 1997</i>
RtS	Response to Submission
SSD	State Significant Development

EXECUTIVE SUMMARY

LOGOS is responsible for delivering the development of intermodal freight terminal facilities, linked to Port Botany and the interstate rail network. The site is located on both sides of Moorebank Avenue, Moorebank, within the Liverpool City Council local government area, approximately 27 kilometres south-west of the Sydney Central Business District.

In 2022, LOGOS joined the ESR group of companies and since August 2024, the LOGOS and ESR operations have been integrated to now operate under the name ESR Australia & NZ (ESR). The Applicant/approval holder entity remains unchanged, and references to LOGOS continues and remains relevant where LOGOS and ESR are used interchangeably. LOGOS is the responsible body for developing and operating the Development.

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

MPE is being developed in three stages:

- Stage 1 (State Significant Development 6766) – Construction and operation of the intermodal facility
- Stage 2 (State Significant Development 7628) – Construction and operation of warehouse and distribution facilities, and upgrades to approximately 1.5 kilometres of Moorebank Avenue fronting the MPE site
- Stage 3 (State Significant Development application yet to be prepared) – Extension of the IMT and completion of warehouse and distribution facilities.

This Independent Audit focuses on Stage 2 (State Significant Development (SSD) 7628) (the Development). Consent for the development was granted by Independent Planning Commission on 31 January 2018 and modified by the Independent Planning Commission's delegate on the 14 March 2022 (MOD 1), 31 January 2020 (MOD 2), 18 December 2020 (MOD 3), 19 January 2021 (MOD 4), 4 September 2023 (MOD 5) and 22 February 2024 (MOD 6).

LOGOS has engaged a number of parties to help construct the Development including Project Managers Tactical, Aspect Environmental and Caras, each of whom manage contractors and consultants responsible for construction, transport/haulage, waste and technical support. LOGOS has engaged several major contractors to deliver the work including Hansen Yuncken (warehouses) and BMD (civils and roadways). Fulton Hogan and Hansen Yuncken are no longer undertaking works on the Development. BMD is currently managing the Moorebank Avenue Upgrade Works (MAUW).

Conditions of Consent (CoC) C18 and C19 of the SSD 7628 set out the requirements for undertaking Independent Audits:

C18:

Within one year of the commencement of any development under this consent, and every three years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:

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

C19:

Within three months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Secretary.

As the Development received development consent prior to the release of the (now) Department of Planning, Housing and Infrastructure (the Department) document titled *Independent Audit Post Approval Requirements* (IAPAR), the Development is not required to comply with the IAPAR requirements. However, this Independent Audit addresses the methodologies and reporting requirements from the IAPAR to the extent that they do not contradict the terms of SSD 7628.

This Audit Report presents the findings from the third Independent Audit for the construction of the Development. It relates to construction works between December 2021 to December 2024 inclusive (the audit period). Works prior to 2021 are outside of the scope of this audit. Audits for operational phase requirements are subject to separate audit programs and series of audits, and therefore operations do not form part of this audit.

The overall outcome of the Audit was primarily positive. Compliance records were well-organised and accessible during the audit and site inspection, along with personnel representing LOGOS. Relevant environmental and compliance monitoring records were being collected and reported as necessary to verify compliance with the SSD Conditions and the broader Development environmental requirements from December 2021 to December 2024.

Detailed findings are presented in Section 3, along with actions to address each of the findings.

Summary of Findings

The audit findings are summarised as follows:

- There were 222 Conditions assessed.
- One hundred-seventeen (117) Conditions were considered by the Auditor to be compliant.
- One hundred-four (104) Conditions were considered by the Auditor to be not triggered.
- One (1) non-compliance was identified against Conditions B65. The non-compliance relates to conducting works outside of the approved hours. This was closed.

- One (1) observation was made regarding the notification to the Department in writing within 7 days after the Applicant becomes aware of the non-compliances raised during the IA2 conducted in 2021. This was closed prior to completing the audit report.

With regards to the status of the previous findings from the second Independent Audit (IA2) carried out in 2021, all findings have been closed out.

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

1. INTRODUCTION

1.1 Project overview

LOGOS is responsible for delivering the development of an intermodal freight terminal facilities, linked to Port Botany and the interstate rail network. The site is located on both sides of Moorebank Avenue, Moorebank, within the Liverpool City Council local government area, approximately 27 kilometres south-west of the Sydney Central Business District.

In 2022, LOGOS joined the ESR group of companies and since August 2024, the LOGOS and ESR operations have been integrated to now operate under the name ESR Australia & NZ (ESR). The Applicant/approval holder entity remains unchanged at this and references to LOGOS continues and remains relevant where LOGOS and ESR are used interchangeably. LOGOS is the responsible body for developing and operating the Development.

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

MPE is being developed in three stages:

- Stage 1 (State Significant Development (SSD) 6766) – Construction and operation of the intermodal facility
- Stage 2 (SSD 7628 Consolidated Consent) – Construction and operation of warehouse and distribution facilities and upgrades to approximately 1.5 kilometres of Moorebank Avenue fronting the MPE site
- Stage 3 (SSD application yet to be prepared) – Extension of the intermodal terminal (IMT) and completion of warehouse and distribution facilities.

This Independent Audit focuses on the construction phase of SSD 7628 Consolidated Consent (the Development). A general overview of MPE Stage 2 is presented in Figure 1.

Consent for the Development was granted by Independent Planning Commission on 31 January 2018. The consent has been modified on six occasions:

- Modification 1: Change timing for road upgrade design approval and completion of works was approved by the Department on the 14 March 2022.
- Modification 2: Modification to the southern boundary of the MPE site to facilitate revised drainage system layout and design which will result in vegetation clearing and remove the requirement of maximum batter slopes of 1V:4H for Stormwater Detention Basin 9. Modification 2 was approved on 31 January 2020.
- Modification 3: Subdivision of two additional lots as part of the subdivision of the MPE Site, change construction compliance reporting frequency required by Condition C21(c)(ii) to six-monthly, revise controls for building signage and administrative updates to conditions. Modification 3 was approved on 18 December 2020.

- Modification 4: Exclusion of Target warehouse car park 'Area 1' from requirement to provide landscaped bays in car parks to include canopy trees for shade, and provision of alternate landscaping in that area. Modification 4 was approved on 19 January 2021.
- Modification 5: Change the design and completion timing requirements for delivering upgrades at the selected roads/intersections, allow changes to the entity responsible for designing and constructing each upgrade an alternate wording for existing Condition B13. Modification was approved by the Department on the 4 September 2023.
- Modification 6: Increase the quantities of Dangerous Goods (DGs) that can be stored at Warehouse 7 beyond currently prescribed thresholds, amend the Stage 2 concept plan approval accordingly and change the Applicant name at Schedule 1 of the consent. Modification was approved by the Department on the 22 February 2024.

LOGOS has engaged several parties to help construct the Development including Project Managers Tactical, Consultants Aspect Environmental and Caras, each of whom manage contractors and consultants responsible for construction, transport/haulage, waste and technical support. LOGOS has engaged several major contractors to deliver the work including Hansen Yuncken (warehouses) and BMD (civils and roadways). Fulton Hogan and Hansen Yuncken are no longer undertaking works on the Development. BMD is currently managing the Moorebank Avenue Upgrade Works (MAUW).

This Independent Audit relates to construction carried out under SSD 7628 between December 2021 to December 2024, inclusive. Construction works undertaken during the audit period include the MAUW upgrade and OSD 10 construction (BMD).

Warehouses 1, 3, 4, and 5 were constructed outside the audit period and are currently operational. Warehouses 6 and 7, located in area 3, were constructed during the audit period and became operational in February 2024. Warehouses 2A and 2B, situated in area 5, along with the freight village, are yet to be constructed. As a result, following the demobilisation of all construction contractors from the site and the commencement of operations at these facilities, the audit focused solely on current construction activities. The assessment of construction activities and operational requirements for Warehouses in areas 3 to 7 is not included within the scope of this Independent Audit. It is important to note that operational activities related to the Consolidated Consent SSD 7628 are subject to a separate audit program and a series of audits.



LEGEND

- Current MPE Stage 2 construction area
- Moorebank Avenue upgrade
- MPE Stage 2 operational area
- Road
- Warehouse
- Watercourse

ARCADIS AUSTRALIA PACIFIC PTY LTD
 ABN 76 104 485 289
 Level 16, 580 George St | Sydney NSW 2000
 P: +61 (0) 2 9907 9000 | F: +61 (0) 2 9907 9001
 Coordinate System: GDA 1994 MGA Zone 56
 Aerial imagery supplied by nearmap (Jan, 2020)



Figure 1-3: Warehousing, Freight Village and Moorebank Avenue Upgrade

Date: 4/03/2020 Path: \\hc-aus-rs-fs-01\cbs\AA008765\L-GIS-A_Current\B_Maps\MPE2\MPE2_CEMP\SIMTA_MPE2_CEMP_003_KeyOperationalComponents_A4P_v5.mxd

Figure 1: MPE Stage 2 (source: Project CEMP)

1.2 Approval requirements

Conditions C18 and C19 of the SSD 7628 set out the requirements for undertaking Independent Audits:

C18:

Within one year of the commencement of any development under this consent, and every three years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:

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

C19:

Within three months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Secretary.

1.3 The audit team

In accordance with Condition C18 and Section 3.1 of the IAPAR, Independent Auditors must be suitably qualified, experienced, and independent of the Project, and appointed by the Planning Secretary. The Lead Auditor who performed the auditing work and was approved by the Department on the 13 November 2024 is presented in Table 1.

Table 1: Audit Team

Name	Company	Participation	Certification
[REDACTED]	WolfPeak	Lead Auditor	Master of Engineering Management Exemplar Global Certified Lead Environmental Auditor - Certificate No. 115421

The letter of approval is presented in Appendix B and auditor's independence declarations are attached in Appendix E.

1.4 The audit objectives

The objective of this Independent Audit is to satisfy SSD 7628 Schedule 2, Condition C18, to verify compliance with the relevant Conditions, and assess the effectiveness of environmental management on the Development.

As the Development was granted consent prior to the release of the Department document titled *Independent Audit Post Approval Requirements (IAPAR)*, the Development is not required to

comply with these requirements. However, this Independent Audit addresses the methodologies and reporting requirements from the IAPAR to the extent that they do not contradict the terms of SSD 7628.

1.5 Audit scope

This Independent Audit relates to construction works between 2022 to 2024, inclusive. Works prior to 2022 are outside of the scope of this audit. Audits for operational phase requirements are subject to separate audit programs and series of audits, and therefore operations do not form part of this audit.

The scope of the Independent Audit comprises:

- an assessment of compliance with:
 - all conditions of consent applicable to the phase of the development that is being audited (i.e.: construction)
 - all post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans; and
 - all environmental licences and approvals applicable to the development excluding environment protection licences issued under the *Protection of the Environment Operations Act 1997*.
- a review of the environmental performance of the development, including but not necessarily limited to, an assessment of:
 - actual impacts compared to predicted impacts documented in the environmental impact assessment
 - the physical extent of the development in comparison with the approved boundary
 - incidents, non-compliances and complaints that occurred or were made during the audit period
 - the performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit; and
 - feedback received from the Department, and other agencies and stakeholders, including the community or Community Consultative Committee, on the environmental performance of the Project during the audit period
- a review of the status of implementation of previous Independent Audit findings, recommendations and actions (if any)
- a high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and
- any other matters considered relevant by the auditor or the Department, taking into account relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.

2. AUDIT METHODOLOGY

2.1 Audit process overview

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

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 auditee in preparation for the Audit.

2.2.3 Consultation

On the 13 November 2024, WolfPeak consulted with the Department, NSW Environment Protection Authority (EPA) and the Community Consultation Committee (CCC) members to obtain input into the scope of the Independent Audit, and to confirm whether other stakeholders should be consulted, in accordance with Section 3.2 of the IAPAR. The Department did not require any additional items to be included in the audit scope but requested consultation with the Liverpool City Council. No response was received from the EPA and the CCC.

On the 20 November 2024 WolfPeak consulted with the Liverpool City Council (LCC) to obtain their input for the Audit. No response was received from the LCC. Consultation records are included in Appendix C and described in Table 2.

Table 2: Key issues and areas of focus raised during consultation

Stakeholder	Issues and Focus	How Addressed
Department of Planning and Environment (Department)	<p>Outside of the conditions of consent and the IAPAR requirements, the Department did not identify any specific areas of focus.</p> <p>The Department requested consultation with Liverpool City Council and inclusion of any responses received as evidence of consultation in the final report.</p>	Refer to Appendix C.
NSW Environment Protection Authority (EPA)	No response	-

Stakeholder	Issues and Focus	How Addressed
Community Consultation Committee (CCC)	No response	-
Liverpool City Council (LCC)	No response	-

2.2.4 Meetings

The opening meeting was held on 2 December 2024 with personnel from Aspect and the WolfPeak Auditor. During the opening meeting, the objectives and scope of the Independent Audit, the resources required and methodology to be applied were discussed.

A closing meeting was carried out on the 4 December 2024. The audit findings were presented, recommendations (as appropriate) were made, and any post-audit actions were confirmed.

2.2.5 Interviews

The Auditor conducted interviews on the 2 and 4 December 2024 with key personnel involved in Development delivery, including those with responsibility for environmental management, to assist with verifying the compliance status of the development.

All other communication was conducted remotely, which included detailed request for information and auditee responses to the request. The names of personnel interviewed during the audit are provided in Table 3.

Table 3: Name and position of personnel interviewed during the audit

Personnel	Position	Company
██████████	Associate Director	Aspect Environmental (representing Logos)
██████████	Consultant	Aspect Environmental (representing Logos)
██████████	Environment Manager	BMD

2.2.6 Site inspection

The on-site audit activities included an inspection of the entire site and work activities for MPE Stage 2 to verify implementation of the mitigation measures in the CEMP and subplans relevant to the works taking place at the time of the inspection.

The site inspection was conducted on 4 December 2024 and detailed observations were discussed in Section 3 and Appendix A. Photos taken during the inspections are presented in Appendix D.

2.2.7 Document review

The Independent Audit included investigation and review of Development files, records and documentation that acts as evidence of compliance (or otherwise) with a compliance requirement. The document review spanned the period of January 2022 to the drafting of this Report in January 2025. The documents sighted are included within Appendix A.

2.2.8 Generating audit findings

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

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

2.2.9 Compliance evaluation

The Auditor determined the compliance status of each compliance requirement in the Audit Table in Appendix A, using the descriptors 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.
Compliant	WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance with this condition and has marked this requirement as compliant on the basis of their assessment or advice.
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 Conditions applicable to the development and their content is adequate; and
- have been implemented in accordance with the Conditions for the development.

The adequacy of post approval documents was determined based on whether:

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

2.2.11 Completing the audit

The Audit Report was distributed to the Applicant to check factual matters and for input into actions in response to findings (where relevant). The Auditor retains the right to make findings or recommendations based on the facts presented. The Auditor’s findings have been determined independent of the auditees, the Department and any other parties, based on the evidence assessed during the Audit.

3. AUDIT FINDINGS

3.1 Approvals and documents audited

The documents audited comprised those prepared under the conditions from the Schedule 2 of SSD 7628 applicable to the works being undertaken at the time of the Audit. The primary documents reviewed are as follows:

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

- *Moorebank Precinct East – Stage 2 Proposal Environmental Impact Statement, Arcadis, December 2016 (SSD 7628 EIS)*
- *Moorebank Precinct East – Stage 2 Proposal Response to Submissions – SSD 16_7628, Arcadis, July 2017, and associated materials (SSD 7628 RtS)*
- *MPE Stage 2 – Consolidated assessment clarification responses, Arcadis, 10/11/17*
- *Development Consent SSD 7628, granted 31 January 2018*
- *SSD Modification Assessment Report for Moorebank Precinct East – Stage 2 Modification 5 (MOD-1), March 2022*
- *Assessment Report for Moorebank Precinct East – Stage 2 Modification 5 (MOD-5), September 2023*
- *Assessment Report for Moorebank Precinct East – Stage 2 Modification 6 (MOD-6), February 2024*
- *Construction Community Communication Strategy, Moorebank Precinct East Stage 2 – Construction, SIMTA, 19 March 2021, Rev.11*
- *Compliance Tracking Program, Moorebank Precinct East Stage 2, LOGOS, 26 March 2024*
- *Construction Environmental Management Plan, Moorebank Precinct East Stage 2, SIMTA, 25 September 2023, Rev.18 (CEMP) and Rev.19 - 3 December 2024*
- *Construction Spoil Management Plan, Moorebank Precinct East Stage 2, SIMTA, 19 April 2021, Rev.14 (CSMP) and Rev.15 - 3 December 2024*
- *Construction Soil and Water Management Plan, Moorebank Precinct East Stage 2, SIMTA, 20 September 2023, Rev.20 (CSWMP) and Rev.21 - 3 December 2024*
- *Construction and Demolition Waste Management Plan, Moorebank Precinct East Stage 2, SIMTA, 18 August 2022, Rev.13 (CDWMP) and Rev.14 - 3 September 2024*
- *Construction Air Quality Management Plan, Moorebank Precinct East Stage 2, SIMTA, 18 August 2022, Rev.17 (CAQMP) and Rev.18 - 3 December 2024*
- *Construction Flood Emergency Response Plan, Moorebank Precinct East Stage 2, SIMTA, 18 August 2022, Rev.13 (CFERP) and Rev.14 - 3 December 2024*
- *Construction Flora and Fauna Management Plan, Moorebank Precinct East Stage 2, SIMTA, 18 August 2022, Rev.13 (CFFMP) and Rev.18 - 3 December 2024*

- *Construction Heritage Management Plan, Moorebank Precinct East Stage 2, SIMTA, 18 August 2022, Rev.16 (CHMP) and Rev.17 - 3 December 2024*
- *Construction Transport and Access Management Plan, Moorebank Precinct East Stage 2, Phase B, SIMTA, 18 August 2022, Rev. O (CTAMP) and Rev. P - 3 December 2024*
- *Construction Noise and Vibration Management Plan, Moorebank Precinct East Stage 2, SIMTA, 18 August 2022, Rev.17 (CNVMP) and Rev.18 - 3 December 2024.*
- *Construction Bushfire Management Plan, Moorebank Precinct East Stage 2, SIMTA, 6 August 2020, Rev.10 (CBMP) and Rev.11 - 3 December 2024.*
- *Bushfire Emergency and Evacuation Plan, Moorebank Precinct East Stage 2, SIMTA, 18 August 2022, Rev.12 (BEEP) and Rev.13 - 3 December 2024.*
- *Stormwater Management Plan, Moorebank Precinct East Stage 2, Balance of Site, Costin Roe Consulting, 18 February 2021, Rev. E*
- *Urban Design and Landscape Plan (UDLP), Moorebank Precinct East Stage 2, SIMTA, 13 October 2022, Rev.13*

Further evidence is referred to within the checklist in Appendix A.

3.2 Summary of Compliance

This Section, including Table 56, presents the summary of compliance and recommended actions in response to each of the findings from this Independent Audit. Detailed findings against each requirement are presented in Appendix A.

In summary:

- There were 222 Conditions assessed.
- One hundred-seventeen (117) Conditions were considered by the Auditor to be compliant.
- One hundred-four (104) Conditions were considered by the Auditor to be not triggered.
- One (1) non-compliance was identified against Conditions B65. The non-compliance relates to conducting works outside of the approved hours. This was closed.
- One (1) observation was made regarding the notification to the Department in writing within 7 days after the Applicant becomes aware of the non-compliances raised during the IA2 conducted in 2021. This was closed prior to completing the audit report.

The status of the previous Independent Audit findings that remained open at the completion of last Audit (conducted in June 2021) is presented in Table 5. All audit findings were addressed and closed out.

Table 5: Status of findings that were open at the time of finalising the Audit 2021

Item	Ref.	Type	Condition of Consent	Audit Finding Details	Proposed or completed action	Status
IA2021_3	B13	Non-compliance	<p>Road Infrastructure Upgrades</p> <p>Timing requirements for road infrastructure upgrade works including the provision of upgrade requirements, required timing for 100% design approval by RMS (TfNSW) and the required timing for completion of upgrades.</p>	<p>100% design approval for each road upgrade has not been obtained prior to the issue of the Occupation Certificates.</p> <p>The Auditor requested evidence of 100% design approval of each road upgrade, prior to issue of the Occupation Certificates. The auditee provided the following response: Detailed design and consultation with TfNSW for the required upgrades is in progress and approved for the MAUW.</p> <p>The MPE Stage 2 Modification 1 application (SSD 7628_MOD1) sought to alter the timing requirements for 100% design approval and delivery for the upgrades to align with the timing of the actual impact more closely to the local network they are required to mitigate, was lodged in January 2019.</p> <p>This is not considered to be a non-compliance against the requirements of this condition as the Applicant has undertaken all reasonable measures to enable compliance. By the nature of this condition the ability to achieve compliance is dependent on a third-party regulatory body, TfNSW (incorporating RMS) and the Applicant does not accept responsibility for TfNSW's inability to finalise its review of the MPE Stage 2 Modification 1 application despite the application being lodged in January 2019 in consultation with TfNSW and RMS, and draft conditions of approval being issued by DPHI.</p> <p>The approval of this Modification is still ongoing.</p> <p>The Auditor considers this to be a non-compliance until such time as Modification 1 is approved, or design is approved.</p>	<p>Continue with Development modification and / or design approval.</p> <p>Actions presented during the audit in 2024:</p> <p>Modification 1 (MOD-1) to change timing for road upgrade design approval and completion of works was approved by the Department on the 14 March 2022.</p> <p>Modification 5 (MOD-5) to change the design and completion timing requirements for delivering upgrades at the selected roads/intersections, allow changes to the entity responsible for designing and constructing each upgrade and alternate wording for existing Condition B13 was approved by the Department on the 4 September 2023. It was noted that MOD-5 removed the requirement for 3 items on Condition B13. Works have been delivered and is anticipated to be completed in December 2026.</p> <p>On the 14 November 2024, ESR made the submission of the 100% design for MAUW North for the purpose of satisfying Condition B13 of SSD 7628 to TfNSW. TfNSW approved the submitted design on 24 November 2024. Aspect made the submission to Department on 26 November 2024.</p>	CLOSED
IA2021_5	B37	Non-compliance	<p>Spoil Management</p> <p>The handling of spoil during construction of the development is to be conducted in accordance with the Spoil Management Plan.</p>	<p>Condition B36 requires the preparation of the Spoil Management Plan and that it includes (by way of Condition B36(c)(iii)) stockpile height and batters have a maximum of 1V:3H slopes and requires that stockpiles be benched if greater than four metres in height. Condition B37 requires implementation of the Spoil Management Plan.</p> <p>According to the 2019 Annual Review, the Imported Spoil Stockpile Area did not meet this requirement, and no action had been taken to reduce the height of the stockpile for more than a month after it was identified. This non-compliance, along with a commitment to achieve conformance with the Spoil Management Plan was reported in the Annual Review.</p> <p>Despite the above, the Auditor requested the following evidence to assist in verifying implementation of the Spoil Management Plan:</p> <ul style="list-style-type: none"> checks that stockpiles meet specifications in accordance with SP18 (not exceed 10 m in height, with battered walls at gradients of 1V:3H, and checks that stockpile heights over 4 m are benched, with maximum of 1V:3H slopes) 	<p>Review the Spoil Management Plan and require contractors to incorporate its requirements into their operations.</p> <p>Actions presented during the audit in 2024:</p> <p>During the audit site inspection, it was noted that the stockpiles in Moorebank Avenue are approximately 2m height and therefore are not required to be benched. Batters comply with the 1V:3H slopes requirements. Environmental inspections are carried out by BMD to check that stockpiles are stabilised and maintained.</p> <p>No complaints were received regarding dust during the audit period and dust deposition reports were sighted from November to December 2022 and February to September 2024, covering MAUW. Realtime dust monitoring results from April to September 2024 were sighted and covered the whole development.</p> <p>A Stockpile Register has been maintained by the contractor (BMD) and was sighted during the audit dated 11 November 2024.</p> <p>However, it was noted that the Construction Spoil Management Plan (CSMP) for Moorebank Precinct East</p>	CLOSED

Item	Ref.	Type	Condition of Consent	Audit Finding Details	Proposed or completed action	Status
				<ul style="list-style-type: none"> reports on unexpected finds within imported spoil as in accordance with SP32 and section 3.11 of the Spoil Management Plan. <p>In response the auditee provided:</p> <ul style="list-style-type: none"> reference to an item within the environmental inspection checklists that require a check that stockpiles are stabilised a historical copy of the Spoil Management Plan along with the ER's endorsement of that document. <p>The evidence provided does not demonstrate implementation of the Spoil Management Plan.</p>	Stage 2, has not been updated since the 19 April 2021, current to revision 14. An observation was raised for this against condition B36.	
IA2021_8	B54	Observation	<p>Dust Minimisation</p> <p>Best practice reactive and proactive management measures must be implemented to minimise dust generated during all works authorised by this consent.</p>	<p>Evidence provided indicates that reactive and proactive management of dust appears to have been implemented during the audit period. That being said, whether best practice controls have been applied at all times throughout the audit period cannot be verified in full.</p> <p>Further, the dust deposition gauge data for 2020-2021 (which captures cumulative dust from across the airshed) indicates that the monthly deposited dust concentrations frequently exceeded 4g/m²/month on the site boundary. Whether this also exceeded the criteria at the nearest receiver as specified in Condition B55 cannot be determined as dust deposition monitoring was not conducted at the receiver.</p> <p>Realtime dust monitoring results for 2020 indicates that PM₁₀ on the boundary was satisfactory. No dust monitoring data (either dust deposition or real-time dust) was available for 2019, therefore emissions during this period have not been confirmed.</p>	<p>Recover and retain 2019 dust monitoring data or report as a non-compliance along with corrective actions. Record actions taken in response to elevated dust readings.</p> <p>Actions presented during the audit in 2024:</p> <p>It was indicated that dust monitoring data for 2019 was not available due to contractor demobilising from site since 2019. However, the following dust management measures and mitigation controls were discussed and sighted:</p> <ul style="list-style-type: none"> Dust Deposition Gauge (DDG) results from SERS were presented for the audit period. DDG for Moorebank Avenue showed no sensitive receivers. According to the Annual Review for 2022 (dated 30/08/2023) the airborne asbestos fibre levels were confirmed to be below 0.01 fibres/mL throughout the review period. According to the Annual Review for 2023 (dated 17/10/2024) there were no exceedances recorded between November 2022 and October 2023 for PM_{2.5}. Regarding PM₁₀, six exceedances were recorded between November 2022 and October 2023. One of the exceedances recorded in October 2023 coincided with a 'fair' (37.8) reading of PM₁₀ at the Liverpool monitoring station and hazard reduction burns in the wider Sydney area. Four of the exceedances identified during the review period were recorded at Air Quality Monitor 03 (AQM03) which is located on the western extent of the Moorebank Precinct West (MPW) Stage 2 footprint and may consequently be the result of construction activities undertaken on MPW Site. Annual reports for 2022 and 2023 indicated that no exceedances of the 2g/m²/month increase, and 4g/m²/month maximum criteria were reported in the review period. Also, it was noted that no monitoring was completed at the closest off-site sensitive 	CLOSED

Item	Ref.	Type	Condition of Consent	Audit Finding Details	Proposed or completed action	Status
					<p>receiver; site boundary monitoring was undertaken in the alternative.</p> <ul style="list-style-type: none"> - Dust Monitoring Summary Reports from SERS in 2024 showed some exceedances for PM_{2.5} (25mg/m³) during May, June and September 2024. - ER inspection reports for 2024 did not identify dust issues. - Photos from the inspection reports showed stabilisation of non-trafficable areas with polymer. Areas without active construction were observed by the Auditor to be stabilised with polymer during the audit site inspection on 4 December 2024. - No complaints were received regarding dust during the audit period. 	
IA2021_9	B55	Non-compliance	<p>Dust Minimisation</p> <p>Deposited dust must not exceed an increase of 2g/m²/month or maximum of 4g/m²/month at the closest off-site sensitive receiver</p>	<p>The Auditor requested the dust deposition gauge results from 2019, 2020 and 2021. Data was provided for 2020 and 2021. No data was provided for 2019.</p> <p>As with Condition B54, the Auditor also observes that the dust deposition gauge data for 2020-2021 (which captures cumulative dust from across the airshed) indicates that the monthly deposited dust concentrations frequently exceeded 4g/m²/month on the site boundary. Whether this also exceeded the criteria at the nearest receiver as specified in B55 cannot be determined as dust deposition monitoring was not conducted at the receiver.</p> <p>Realtime dust monitoring results for 2020 indicates that PM₁₀ on the boundary was satisfactory. No dust monitoring data (either dust deposition or real-time dust) was available for 2019, therefore emissions during this period have not been confirmed.</p>	<p>Recover and retain 2019 dust monitoring data or report non-compliance along with corrective actions. Record actions taken in response to elevated dust readings.</p> <p>Actions presented during the audit in 2024:</p> <p>It was indicated that dust monitoring data for 2019 was not available due to contractor demobilising from site since 2019. However, the Applicant presented the annual reports for 2022 and 2023 indicated that no exceedances of the 2g/m²/month increase, and 4g/m²/month maximum criteria were reported in the review period. Also, it was noted that no monitoring was completed at the closest off-site sensitive receiver; site boundary monitoring was undertaken in the alternative.</p> <p>Dust Monitoring Summary Reports from SERS in 2024 showed some exceedances for PM_{2.5} (25mg/m³) during May, June and September 2024.</p>	CLOSED
IA2021_10	B58	Non-compliance	<p>Construction Air Quality Management Plan</p> <p>Air quality monitoring must be undertaken during early works, fill importation and construction</p>	<p>The Auditor requested the dust deposition gauge and real-time dust monitoring results from 2019, 2020 and 2021. Data was provided for 2020 and 2021. No data was provided for 2019.</p>	<p>Recover and retain 2019 dust monitoring data or report non-compliance along with corrective actions.</p> <p>Actions presented during the audit in 2024:</p> <p>It was indicated that dust monitoring data for 2019 was not available due to contractor demobilising from site since 2019. However, the following dust management measures and mitigation controls were discussed and sighted:</p> <ul style="list-style-type: none"> - Dust Deposition Gauge (DDG) results from SERS were presented for the audit period. DDG for Moorebank Avenue showed no sensitive receivers. - According to the Annual Review for 2023 (dated 17/10/2024) there were no exceedances recorded between November 2022 and October 2023 for PM_{2.5}. Regarding PM₁₀, six exceedances were recorded between November 2022 and October 2023. One of the exceedances recorded in October 2023 coincided 	CLOSED

Item	Ref.	Type	Condition of Consent	Audit Finding Details	Proposed or completed action	Status
					<p>with a 'fair' (37.8) reading of PM₁₀ at the Liverpool monitoring station and hazard reduction burns in the wider Sydney area. Four of the exceedances identified during the review period were recorded at Air Quality Monitor 03 (AQM03) which is located on the western extent of the Moorebank Precinct West (MPW) Stage 2 footprint and may consequently be the result of construction activities undertaken on MPW Site.</p> <ul style="list-style-type: none"> - Annual reports for 2022 and 2023 indicated that no exceedances of the 2g/m²/month increase, and 4g/m²/month maximum criteria were reported in the review period. Also, it was noted that no monitoring was completed at the closest off-site sensitive receiver; site boundary monitoring was undertaken in the alternative. - Dust Monitoring Summary Reports from SERS in 2024 showed some exceedances for PM_{2.5} (25mg/m³) during May, June and September 2024. 	
IA2021_11	B64	Non-compliance	<p>Noise Monitoring</p> <p>Continuous noise monitoring at sensitive receivers must be undertaken during early works, fill importation, construction and for at least 12 months following occupation of the entire site.</p>	<p>The Auditor requested noise monitoring results from 2019, 2020 and 2021. Data was only available for the period covering July 2019 to October 2021.</p>	<p>Recover and retain noise monitoring data covering the entire audit period, or report non-compliance along with corrective actions.</p> <p>Actions presented during the audit in 2024:</p> <p>Continuous noise monitoring data covering the period of 2022 – 2024 was sighted.</p> <p>According to the Annual Review Report for 2022, construction noise monitoring was completed as required at the nearest four residential noise catchment areas. The results show that the development is compliant and being managed in accordance with the CNVMP.</p> <p>According to the Annual Review Report for 2023, no noise complaints relevant to MPE Stage 2 works triggering the requirement for attended noise monitoring were received during the review period. Attended noise monitoring was triggered for one of the OOHW within the review period. Measured noise levels ranged between 50.3 - 55.2 L_{eq(15min),dB(A)}. No EHW were undertaken during the review period.</p> <p>With regards to the Predicted Noise Limits: 56 – 75 L_{eq(15min), dB(A)} Measured noise levels were less than that predicted and ranged between 49 – 60 L_{eq(15min),dB(A)}.</p>	CLOSED
IA2021_12	B65	Non-compliance	<p>Construction Hours</p> <p>The construction hours detailed in Table 2 must be complied with, except where they may be undertaken under Condition B66.</p>	<p>According to the weighbridge records there were 96 spoil truck arrivals that occurred prior to 7am in 2019. It is not clear whether these were approved under Condition B67, noting that according to the MLP Tracking Register (for OOHW) these do not appear to have had an associated OOHW application approved.</p>	<p>Recover evidence to support site works being undertaken out of hours or report non-compliance along with corrective actions.</p> <p>Actions presented during the audit in 2024:</p> <p>The evidence indicates that the hours have been communicated to the workforce and that the Out of Hours Work (OOHW) protocol has been enacted when OOHW</p>	CLOSED

Item	Ref.	Type	Condition of Consent	Audit Finding Details	Proposed or completed action	Status
					<p>have been required. The MLP Environmental Tracking Register MASTER, covering the period from 21 October 2019 to 24 August 2023, was sighted. It was noted that the last OOHW entry in the register was dated 21-24 August 2023, and all OOHW activities had approved permit status. About 15 OOHW for MPE Stage 2 activities for the last 3 years.</p> <p>It was noted that the Department issued a warning letter to LOGOS on 19 December 2022, for performing work outside the approved construction hours. A community complaint was received on 22 August 2022, regarding helicopter operations at the development site on Sunday 21 August 2022, coinciding with the installation of solar panels at the warehouses. A non-compliance was identified during this audit period to address this matter. Consequently, the auditor believes that the prior non-compliance can be closed, as the OOHW protocol has been enacted for activities conducted between December 2021 and December 2024, excluding the helicopter operations.</p>	
IA2021_14	C2	Observation	<p>Construction Environmental Management Plan</p> <p>The Applicant must:</p> <p>(a) not commence construction until the CEMP is approved by the Secretary; and</p> <p>(b) carry out the construction of the development in accordance with the most recent version of the CEMP approved by the Secretary, unless otherwise agreed by the Secretary</p>	<p>The requirements from the consent have been incorporated into the CEMP suite as relevant. A number of observations and non-compliances have been identified in this audit with respect to fulfilling those requirements, demonstrating that there are instances whereby the CEMP has not been implemented in full. In particular there is a lack of available evidence from works undertaken during 2019. That being said, evidence suggests that the deficiencies appear to have been generally identified and recorded in accordance with section 4.4 of the CEMP.</p>	<p>Recover evidence of implementation of the CEMP and Sub-plans for 2019 or manage as non-conformances with the documents as per section 4.4 of the CEMP. Where a non-compliance may have also occurred, these should be reported.</p> <p>Actions presented during the audit in 2024:</p> <p>The implementation of the CEMP was sighted during the site audit inspection as follows:</p> <ul style="list-style-type: none"> - Environmental Inspections have been carried out by the Contractor (BMD) and the ER (Pitt & Sherry) periodically. - Site Specific inductions have been carried out by BMD to all contractors involved in the Moorebank Avenue Upgrade Works (MAUW) and the MAAI. - Monthly report have been prepared by the ER and submitted to DPHI accordingly. - Construction Compliance Report have been prepared to report on the environmental performance of the MPE Stage 2. Latest report is #16 from Oct 2023 to Mar 2024 Rev 2, 21/04/2024 prepared by LOGOS - Annual Review Reports have been prepared for 2021 (#04), 2022 (#05) and 2023 (#06) to report on the monitoring results and complaints records for the year. - Erosion and sediment controls at the BMD site were sighted during the audit site inspection carried out on the 4/12/2024. No observations were made by the auditor. 	CLOSED

Item	Ref.	Type	Condition of Consent	Audit Finding Details	Proposed or completed action	Status
					<ul style="list-style-type: none"> - CEMP was reviewed and updated on the 25 September 2023 (Rev.18) and was approved by the Department on the 18 December 2023. - Contractors report on environmental performance in their works including compliance with the consent, conformance with the CEMP suite, incidents etc. 	
IA2021_15	C10	Non-compliance	<p>Annual Review</p> <p>Each year, the Applicant must submit a review of the environmental performance of the development (including all tenants and occupants) to the Department.</p>	<p>There is no evidence available to demonstrate that the 2018 Annual Review (submitted to DPPI on 24/06/19) was also submitted to Council.</p>	<p>Recover evidence of the submission of the 2018 Annual Review to Liverpool City Council or report as non-compliance with corrective actions.</p> <p>Actions presented during the audit in 2024:</p> <p>No evidence was found regarding the submission of the Annual Review for 2018 to Liverpool City Council. However, the submissions for the 2021, 2022, and 2023 reports to the Council were sighted during the audit as follows:</p> <ul style="list-style-type: none"> - Annual Review for 2021 (#04) was prepared by SIMTA on the 7 June 2022 and submitted to the Department on the 7 June 2022 and to the Liverpool City Council on the 9 June 2022. - Annual Review for 2022 (#05) was prepared by LOGOS on the 30 August 2023 Rev.2 and submitted to Department on the 31 August 2023 and Liverpool City Council on the 1 September 2023. - Annual Review for 2023 (#06) was prepared by Moorebank Intermodal Precinct on the 17 October 2024 and submitted to Department and Liverpool City Council on the 18 October 2024. <p>Based on the evidence submitted for 2021, 2022, and 2023, the auditor determined that the submission of the Annual Review Report to the Liverpool City Council has been fulfilled and consequently deemed this non-compliance closed.</p>	CLOSED
IA2021_16	C19	Non-compliance	<p>Independent Environmental Audit</p> <p>Within three months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Secretary</p>	<p>The Auditor requested evidence that the first Independent Audit Report was submitted in accordance with this condition. No evidence was provided.</p>	<p>Recover evidence of the submission of the 2018 independent audit to the Planning Secretary, or report as non-compliance with corrective actions.</p> <p>Actions presented during the audit in 2024:</p> <p>No evidence was found regarding the submission of the First Independent Audit (IA1) to the Department. However, the submission of the second Independent Audit completed in 2021 to the Department was sighted. The second Independent Audit (IA2) based on the construction conditions of SSD 7628 commenced on 08 December 2021. The Audit Report from WolfPeak dated 1 March 2022 and the Response to Audit Report dated 8 March 2022 were submitted to the Department on the 8 March 2022.</p> <p>Based on the evidence sighted for the IA2 (completed in 2021), the auditor determined that the submission has</p>	CLOSED

Item	Ref.	Type	Condition of Consent	Audit Finding Details	Proposed or completed action	Status
					been fulfilled and consequently deemed this non-compliance closed.	
IA2021_17	C20	Observation	<p>Access to Information</p> <p>At least 48 hours before the commencement of construction until the completion of all works under this consent, including demolition and remediation, the Applicant must:</p> <p>(a) make copies of the following publicly available on its website:</p> <p>(i) the documents referred to in Condition A2 of this consent;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(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;</p> <p>(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;</p> <p>(vi) a summary of the current stage and progress of the development;</p> <p>(vii) contact details to enquire about the development or make a complaint;</p> <p>(viii) a complaints register updated on a monthly basis;</p> <p>(ix) the Annual Reviews of the development;</p> <p>(x) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report;</p> <p>(xi) any other matter required by the Secretary; and</p> <p>(b) keep such information up to date, to the satisfaction of the Secretary.</p>	<p>The planning process section of the webpage does not reflect the current progress, nor is it up to date. All other information appears to be up to date</p>	<p>Update the 'planning process' section on the website to reflect the current progress.</p> <p>Actions presented during the audit in 2024:</p> <p>The Moorebank Intermodal Precinct website has been updated and now includes:</p> <ul style="list-style-type: none"> regular reporting on the environmental performance of the development (monitoring reports, compliance reports and audit reports) a summary of the current stage (project works updates: News and current works) the Annual Reviews from 2018 #01 to 2023 #06 (Compliance reports) 	CLOSED

Table 6: Audit findings and recommended actions from IA 2024

Item	Ref.	Type	Condition of Consent details	Audit Finding details	Proposed or completed action	Status
IA2024_1	B65	Non-compliance	<p>Construction Hours</p> <p>The construction hours detailed in Table 2 must be complied with, except where they may be undertaken under Condition B66.</p>	<p>Helicopter works were carried out on Sunday 21 August 2022 outside of the approved construction hours. This happened when the solar panels were installed at the warehouses.</p>	<p>A community complaint was received on 22 August 2022 about helicopter works at the development on Sunday, 21 August 2022. The Department issued a warning letter to LOGOS on the 19 December 2022 for conducting works outside the approved construction hours.</p> <p>LOGOS confirmed that helicopter-assisted construction had taken place on that date without community agreement and under LOGOS' coordination. LOGOS believed the works were approved by the inclusion of the CNVIS in Appendix D of the CNVMP, and that no further application or approval from the Department was required. As a result, helicopter work were carried out within the approved hours (not the OOHW).</p>	CLOSED
IA2024_2	C16	Observation	<p>Non-compliance Notification and Reporting</p> <p>The Department must be notified in writing to compliance@planning.nsw.gov.au within 7 days after the Applicant becomes aware of any non-compliance.</p>	<p>Condition C16 requires that non-compliances be notified to the Department within 7 days after the Applicant becomes aware of any non-compliance. However, during the Independent Audit No.2 (IA2) conducted on the 8 December 2021, the Applicant understood that the submission of the Final IA2 audit report and the response to audit report was deemed sufficient notification of non-compliances to the Department.</p> <p>The final audit report was dated 1 March 2022, and the Audit Response was submitted to Department on the 8 March 2022, which was within the stipulated 7-day period. Another notification for all the non-compliances was sent to the Department on the 2 August 2022.</p>	<p>Prior finalising this audit report, the Applicant was provided with advice from the Department (dated 11 February 2025) indicating that "<i>in circumstances where a non-compliance is only identified by an Independent Environmental Audit and then responded to via the Response to Audit Recommendations (as in, the project has not identified/is not aware of the non-compliance outside of the IEA process), no separate notification is required and we will consider the non-compliance further as a part of our assessment of the IEA findings</i>".</p> <p>Based on the evidence provided and the email from the Department this observation is considered closed.</p>	CLOSED

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

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

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

The plans were generally adequate for the works undertaken and addressed the relevant matters from the Conditions. Overall, the CEMPs and associated sub-plans listed in Section 3.1 largely complied with the requirements of the SSD Conditions and were implemented for the works being conducted. The CEMP and sub-plans were updated as part of the regular review cycle or following the approval of Modifications, Independent Audit No. 1, or as a result of the Department's directions.

The Audit verified that previous versions of the CEMP and sub-plans have been provided to the ER and the Department and are accessible on the development website. The latest versions are currently under review.

It was noted that the CEMP and majority of sub-plans were reviewed during the audit period and at the time of the site inspection the Plans were being finalised, signed and submitted to the Department. Prior the finalising of this audit report, the CEMP and the following sub-plans have been approved and posted on the website.

- Construction Environmental Management Plan (Rev.19, 3 December 2024)
- Construction Air Quality Management Plan (Rev.18, 3 December 2024)
- Construction Noise and Vibration Management Plan (Rev.18, 4 December 2024)
- Construction Flora and Fauna Management Plan (Rev.18, 3 December 2024)
- Construction Heritage Management Plan (Rev.17, 3 December 2024)
- Construction Soil and Water Management Plan (Rev.21, 3 December 2024)
- Construction Traffic and Access Management Plan - Phase B (Rev. P, 3 December 2024)
- Construction Flood Emergency Response Plan (Rev.14, 3 December 2024)
- Construction Bushfire Management Plan (Rev.11, 3 December 2024)
- Construction Community Communication Strategy (Rev.12, 3 December 2024)
- Bushfire Emergency and Evacuation Plan (Rev.13, 3 December 2024)
- Construction Spoil Management Plan (Rev.15, 3 December 2024)

3.4 Summary of notices from agencies

The Auditor is not aware of any notices having been provided by the Department or any other agencies during the audit period.

3.5 Other matters considered relevant by the Auditor or the Department

Other than the findings identified (presented in Table 5 above) there were no other matters considered relevant by the Auditor.

3.6 Complaints

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

A total of 63 complaints were received for the entire MLP development since December 2021. The complaints related predominantly to noise, water flooding, out of hours work, dust, road conditions, traffic, property damage, lighting and vegetation. Most MPE complaints are related to Operations. LOGIS consider each complaint to be closed.

<https://moorebankintermodalprecinct.com.au/wp-content/uploads/2024/04/Moorebank-Intermodal-Precinct-Online-Complaints-document-toDEC24.pdf>

Only one complaint was attributed to SSD 7628 during the construction works from December 2021 to December 2024. The complaint was received on 22 August 2022 by a community member regarding helicopter works at the development on Sunday 21 August 2022. As a result of this, the Department issued a warning letter to LOGOS on the 19 December 2022 for conducting works outside the approved construction hours (condition B65). LOGOS confirmed that helicopter-assisted construction had taken place on that date without community agreement and under LOGOS' coordination. LOGOS believed the works were approved by the inclusion of the CNVIS in Appendix D of the CNVMP, and that no further application or approval from the Department was required. This happened when the solar panels were installed at the warehouses. As a result, helicopter work was carried out within the approved hours (not Out of Hours Work (OOHW)).

No other complaints were attributed to the MPE construction works. Other complaints during the audit period were associated with the MPE operations.

3.7 Incidents

There were no notifiable incidents as defined by SSD 7628 recorded during the audit period. Incident register has been maintained by BMD for the stage of the Development.

3.8 Actual versus predicted impacts

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

The EIS and RtS included a range of studies and predictions that relied on observation, measurement and modelling of the existing environment and potential outcomes arising from MPE

Stage 2. 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 identified mitigation measures, to the Auditor's knowledge there are no requirements to undertake such studies and doing so does not form part of this Independent Audit. Any such comparison is qualitative only.

The following observations are considered relevant for the construction of MPE Stage 2.

3.8.1 Traffic and transport

The EIS and RtS outlined a number of predictions regarding the traffic and transportation impacts during the construction of the Development. The construction traffic assessments focused on peak periods, with fill haulage generating the highest volume of heavy vehicle movements per day. During the peak construction period, the EIS projected a total of 1,022 two-way truck movements and 428 two-way light vehicle movements each day. To manage traffic-related impacts, the EIS specifies the development and implementation of a Construction Traffic Management Plan.

The Work Authorisation Deed (WAD) for the temporary diversion road and Moorebank Avenue upgrades has been executed, demonstrating compliance with the Construction Traffic Access Management Plan (CTAMP), TfNSW conditions, and the relevant Road Occupancy Licences.

Evidence provided indicates that Vehicle Management Plans (VMP) have been prepared in alignment with the CTAMP. Additionally, development requirements regarding road rules, access, safety, and environmental considerations have been effectively communicated through delivery driver inductions. Delivery trucks are required to report to the Contractor's office, where the induction provides instructions on their designated routes. The driver's code of conduct is integral to this induction process. Access to the site is controlled through the entry gates. During the audit period, there was a minimal presence of heavy vehicles, and no traffic complaints related to MPES2 were reported. The Annual Review report for 2023 indicated that during the reporting period, there were a total of 1,791 Light Vehicles (LV) recorded, within a limit of 4,073 per day (including operations and construction), and 706 Heavy Vehicles (HV) recorded, within a limit of 1,234 per day.

No queuing was observed during the site inspection. Traffic controllers are deployed near the gates as needed, and traffic signalised lights are in place. The Applicant noted that the actual number of construction vehicles is significantly lower than the EIS predictions, approximately 50 vehicles. Based on the evidence presented during the audit site inspection, it appears that traffic volumes are below the levels threshold limits identified in the consent.

3.8.2 Air Quality

The EIS and RtS made a number of predictions on local and regional air quality impacts during construction. Key emissions considered for construction were fugitive dust or particulate matter (PM) generated during demolition, site clearing and earthworks activities. Modelling indicated that the construction phase emissions would comply with all relevant impact assessment criteria, and predicted increases in annual average PM₁₀ and PM_{2.5}.

Annual review reports for 2022 and 2023 indicated that no exceedances of the 2g/m²/month increase, and 4g/m²/month maximum criteria were reported in the review period. It was noted that monitoring was not completed at the closest off-site sensitive receiver due to property access

constraints preventing the installation of monitors; site boundary monitoring was undertaken in the alternative and as monitoring results are closer to the development, the results were higher than what would be expected at the off-site sensitive receivers. Dust Monitoring Summary Reports from SERS were carried out during 2024 with some exceedances for PM_{2.5} (25mg/m³) reported.

Depositional dust monitoring results from 2021 to 2024 show consistency, indicating that dust is being effectively managed through the implementation of the measures outlined in the CAQMP, as anticipated in the EIS (Arcadis, December 2016).

3.8.3 Spoil

The EIS and RtS predicted that the Development would involve the importation of approximately 695,000m³ of clean general fill to adjust building formation levels. Due to the large area of disturbance required during construction the EIS and RtS predicted that there is a high potential for erosion.

During investigations and earthworks unsuitable ground conditions were identified which needed to be removed. Therefore approximately 970,000m³ of spoil was required to bring the site up to its design level. The import of the excess spoil was approved by the Department on the 8 June 2018 (additional 120,000m³ (over and above the 600,000m³) to the northwest priority areas, provided daily import volumes do not exceed Condition B56). Additionally, The ER approved the import of an additional 250,000m³ on 17 September 2019 through a Request for Minor Amendment (RFMA). The approval for the additional spoil was reported by the ER to the Department in the September 2019 ER Monthly Report. Material imported to MPE Stage 2 to date is 736,336m³ in total. The limit of 970,000m³ has not been reached. This is reflected in the Spoil Management Plan (Revision 9 to Revision 15) which was approved by the Department. The spoil volumes identified in the EIS were underestimated and were greatly exceeded by actual volumes.

3.9 Key strengths and environmental performance

The overall outcome of this Audit was positive and indicated that compliance was proactively tracked by the key Development personnel with the following strengths demonstrated in their compliance management:

- The compliance records were available and have been managed for the construction works according to the SSD Conditions.
- The Construction Environmental Management Plan (CEMP) and Subplans have been reviewed, updated and implemented during the construction works at the Moorebank Precinct East – Stage 2.
- Relevant environmental and monitoring records (i.e., ER site inspections, monthly reports, monitoring of dust, noise and vibration) and management plans were presented to provide verification of compliance to consent requirements.
- Annual reviews and the six-monthly construction compliance reports have been prepared, submitted to the Department and available at the development website.
- No incidents have been reported during this audit period.
- One complaint received from the community was investigated and closed out.

4. CONCLUSIONS

This Audit Report presents the findings for the Independent Audit of SSD 7628 construction works undertaken between December 2021 to December 2024 inclusive.

The overall outcome of the Independent Audit was generally positive. Many compliance records were organised and available at the time of the site inspection, as were personnel representing LOGOS. During 2021, relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance to statutory requirements and the broader Development environmental requirements.

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

- There were 222 Conditions assessed.
- One hundred-seventeen (117) Conditions were considered by the Auditor to be compliant.
- One hundred-four (104) Conditions were considered by the Auditor to be not triggered.
- One (1) non-compliance was identified against Conditions B65. The non-compliance relates to conducting works outside of the approved hours. This was closed.
- One (1) observation was made regarding the notification to the Department in writing within 7 days after the Applicant becomes aware of the non-compliances raised during the IA2 conducted in 2021. This was closed prior to completing the audit report.

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

5. LIMITATIONS

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

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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 Development (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 7628 CONDITIONS OF CONSENT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
ADMINISTRATIVE CONDITIONS				
Obligation to minimise harm to the environment				
A1	In addition to meeting the specific performance measures and criteria established under this consent all reasonable measures must be implemented to prevent, and if prevention is not reasonable, minimise, any harm to the environment that may result from the construction operation of development, and any rehabilitation required under this consent.	Evidence referred to elsewhere in this Audit Table.	Based on the evidence sighted it appears as though environmental measures are being implemented to prevent or minimise harm on the environment. A number of non-compliances and observations have been made; however, these do not appear to have resulted in environmental harm beyond that approved under SSD 7628.	C
Terms of consent				
A2	<p>The development may be carried out:</p> <ul style="list-style-type: none"> a) In compliance with the conditions of this consent; b) In accordance with all written directions of the Secretary in relation to this consent; c) In accordance with the EIS, Submissions Report, Consolidated assessment clarification responses, and updated Biodiversity Assessment Report; d) In accordance with the amended Development Layout Plans and Design Plans, amended WSUD plans and amended architectural plans to be submitted for the Secretary's approval as part of this consent; and e) In accordance with the management and mitigation measures at APPENDIX B of this consent f) in accordance with modification application SSD-7628-Mod-2 and supporting documentation; and g) in accordance with modification application SSD-7628-Mod-6 and supporting documentation. 	<p>Evidence referred to elsewhere in this Audit Table.</p> <p>Moorebank Precinct East - Stage 2 Proposal Environmental Impact Statement, Arcadis, December 2016 (the EIS)</p> <p>Moorebank Precinct East - Stage 2 Proposal Response to Submissions – SSD 16_7628, Arcadis, July 2017, and associated materials (the RtS)</p> <p>Occupation Certificate No. 211790/12 (Warehouse 6, excluding 1st floor), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/14 (Warehouse 6, including 1st floor offices), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/08 (Warehouse 7 and Main office Stage 1 only), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/09 (Racking Warehouse 7), McKenzieMcKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/010 (For complete Warehouse 7 excluding mezzanine floor), McKenzieMcKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/11 (Mezzanine floor in Warehouse 7 only), McKenzieMcKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/13 (The remainder of racking storage in</p>	<p>The development appears to have carried out inspections and reviews of the physical construction of each warehouse and associated infrastructure to verify that it has been constructed in general accordance with the EIS and RtS.</p> <p>The Development Layout Plans and Design Plans, relate to construction. Assessment of whether the development complied with the approved plans was conducted by the Certifier. Confirmation was provided by the Certifier through issue of the Construction Certificates and the Occupation Certificates. Warehouses 6 and 7 were built, finished and occupied in 2023. Relevant Occupation Certificates for WH6 and WH7 were sighted.</p> <p>The Urban Design and Landscape Plan (UDLP) and associated sub-plans were updated prior to the construction of permanent built surface works. Plan was prepared by SIMTA dated 13/10/2022 Rev.13.</p> <p>The Conditions have been modified 6 times by the Independent Planning Commission's delegate on the 14 March 2022 (MOD 1), 31 January 2020 (MOD 2), 18 December 2020 (MOD 3), 19 January 2021 (MOD 4), 4 September 2023 (MOD 5) and 22 February 2024 (MOD 6).</p> <p>Whilst some non-compliances were identified, these are assigned as non-compliances against the condition to which they relate and on this basis the Auditor does not consider it appropriate to assign a noncompliance with this condition.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Warehouse 7), McKenzieMcKenzie Group, 31/01/2018 Occupation Certificate No. 211790/15 (Warehouse 5 and 7b), McKenzieMcKenzie Group, 31/01/2018 Consolidated Urban Design and Landscape Plan (UDLP), Rev. 12, 18/12/2020 and Urban Design and Landscape Plan MPES2, Rev.13, 13/10/2022		
A3	The Secretary may make written directions to the Applicant: a) as a result of the Department's assessment of any strategy, plan, program, review, audit, notification, report or correspondence submitted under or in relation to this consent; b) as a result of the Department's assessment of any review, report or audit undertaken or commissioned by the Department regarding compliance with this consent or in relation to an incident (whether notified to the Department or not); and c) in relation to the implementation of any actions or measures contained in any of the documents listed in condition A2.	Warning Letter DPHI-Logos, 19/12/22 re. conducting works outside of the project's approved construction hours (Condition B65) Letter DPHI-Qube, 10/05/2021 re. approval of CEMP Rev.16 and subplans Letter DPHI-Urbis, 11/08/2022 re. approval of Development Layout Plan, Drawing DLP-MAS-46MPE, Issue B, 14/6/2022 under Condition A22	The Department issued a warning letter to LOGOS on the 19/12/2022 for conducting works outside the approved construction hours (condition B65). This followed community complaints received on 22/08/2022 about helicopter works at the development on Sunday, 21/8/2022. LOGOS confirmed that helicopter-assisted construction had taken place on that date without community agreement and under LOGOS' coordination. LOGOS believed the works were approved by the inclusion of the CNVIS in Appendix D of the CNVMP, and that no further application or approval from the Department was required. This happened when the solar panels were installed at the warehouses. As a result, helicopter work was carried out within the approved hours (not the OOHW). Correspondence from the Department for the review and approval of construction plans was sighted for the following: <ul style="list-style-type: none"> Letter from the Department with approval of the CEMP (Rev.16, 21/04/2021) and subplans was received on the 10/5/2021. Letter DPHI-Urbis, 11/08/2022 re. approval of Development Layout Plan, Drawing DLP-MAS-46MPE, Issue B, 14/6/2022 under condition A22 	C
A4	The conditions of this consent and directions of the Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e) to A2(f). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(e) to A2(f), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict. For the purpose of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Secretary and a document, if it is not possible to comply with both the condition or direction and the document.	Interview with auditees 02/12/2024	This audit assess compliance with the current conditions of consent. No materials conflicts identified.	NT
Limits of consent				
A5	This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before the date on which the consent would otherwise lapse under section 95 of the EP&A Act.	The SSD 7628 consent granted 31/01/18 Interview with auditees 02/12/2024 and site inspection 4/12/2024	Consent was granted in 2018. It is understood that the Development commenced operations on 17/05/20.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
A6	The total volume of spoil to be imported, including fill required to raise Moorebank Avenue and spoil imported during early works must not exceed 600,000m ³ .	<p>Interview with auditees 02/12/2024</p> <p>MPES2 RFMA-014-Rev002 17/09/19 (RFMA for 250,000m³ additional spoil)</p> <p>ER approval of MPES2 RFMA-014-Rev002 17/09/19 (ER approval of RFMA for 250,000m³ additional spoil)</p> <p>Construction Environmental Management Plan Moorebank Precinct East Stage 2, 25/09/2023, Rev.18 (and subordinate Subplans) by SIMTA</p> <p>Letter DPFI, 18/12/2023 re. approval of CEMP Rev.18</p>	<p>In the previous audit it was indicated that approximately 970,000m³ of spoil was required to bring the site up to its design level. The import of the excess spoil was approved by DPFI 8/6/2018 (additional 120,000m³ (over and above the 600,000m³) to the northwest priority areas, provided daily import volumes do not exceed Condition B56). Additionally, The ER approved the import of an additional 250,000m³ on 17/09/19 through a Request for Minor Amendment (RFMA). The approval for the additional spoil was reported by the ER to the Department in the September 2019 ER Monthly Report.</p> <p>Material imported to MPES2 to date is 736,336m³ in total. The limit of 970,000m³ has not been reached. This is reflected in the Spoil Management Plan (Rev. 9 to Rev.15) which were approved by the DPFI.</p> <p>In the next 12 months, another 80,000m³ will be required to finish the works. This does not include the WH2 (55 series WHS area).</p>	C
A7	No works are permitted within the Defence Joint Logistics Unit site under this approval.	<p>Interview with auditees 02/12/2024 and Site inspection 04/12/2024</p> <p>BMD site induction WHSE Induction Presentation November 2024</p> <p>VMP001 – Gate 1 North and South (Site Access Point 1) – JLU Intersection</p> <p>VMP-07 – Gate 3 JLU – No Entry Defence Access Only</p>	<p>There is a solid boundary on the northern boundary of MPE. The Moorebank Avenue Upgrade Works (MAUW) works do not intrude on the DJLU. The contractor induction for MAUW includes instructions not to use the DJLU access road.</p> <p>The VMP and BMD site induction presentation shows that access is not permitted.</p> <p>Works are close to the Piccolo Me premises and behind 55 WH series, there is wire-fence. Signage indicates no entry. All works have been carried out within the construction boundary.</p>	C
A8	The container freight road volume must not exceed 250,000 TEUs p.a., subject to the exception identified in condition A9, which may only be considered under condition A9 after the facility has been in operation.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
A9	The movement of container freight by road may exceed the 250,000 TEU limit p.a. by up to a further 250,000 TEU p.a., if the Secretary is satisfied that traffic monitoring and modelling of the operation of the facility demonstrate that traffic movements resulting from the proposed increase in TEU will achieve the objective of not exceeding the capacity of the transport network.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
A10	In determining the TEU limit, the Secretary may take account any roadworks or mitigation measures proposed under a Voluntary Planning Agreement to minimise traffic impacts.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
A11	The maximum GFAs for the following uses apply: a) 300,000m ² for the warehousing and distribution facilities; and b) 8,000m ² for the freight village.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
A12	The warehousing and distribution facilities must only be used for activities associated with freight using the MPE Stage 1 rail intermodal terminal.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
A13	<p>Freight village tenants and occupations are restricted to those activities that provide:</p> <ul style="list-style-type: none"> a) ancillary support for the development, its tenants, worker population and visitors; b) a nexus with activities undertaken in relation to the warehouse, logistics functions of the IMT development and/ or; c) provide aligned services to the intermodal functions. <p>Prior to occupancy of any freight village tenancy, and every subsequent occupation of these tenancies, details of the tenant and occupation activity is to be submitted to the Secretary demonstrating that the proposed activity complies with this condition.</p>	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
Staged submission of strategies plans or programs				
A14	With the approval of the Secretary, the Applicant may submit any strategy, plan or program required by this consent on a staged basis.	<p>Construction Environmental Management Plan Moorebank Precinct East Stage 2, SIMTA, 25/09/2023 (Rev.18) (and subordinate Sub-plans)</p> <p>Construction Transport Access Management Plan (CTAMP), Phase B Rev. O, 18/8/2022 by SIMTA</p> <p>Letter from Pitt & Sherry re. update section 3.2.13 of CTAMP</p> <p>Post Approval Form, 19/8/2022</p> <p>Letter DPHI, 18/12/2023 re. approval of CEMP Rev.18</p> <p>Interview with auditees 02/12/2024</p>	<p>No Staged strategies, plans and programs have been submitted to the DPHI during the audit period. Updates to the plans have been carried out to ensure they remain current. The CEMP has undergone 18 revisions including updates approved by the Department and minor updates approved by the ER as a result of the Mod-1, WH6 and WH& layout changes, RFMA #043 inclusion of MARW and inclusion of enabling works associated with MPE2/MARW interface. The Department last approved the CEMP Rev.18 suite on the 18/12/2023.</p> <p>According to the auditees, the only plan that required to be staged was the CTAMP. CTAMP was prepared in 2019 and was reviewed following MOD-1 WH6 and WH7 amended layout, and RFMA 41. Approval update to driver's code of conduct. Uploaded RFMA approval, and CTAMP Phase B submission, which is the only Staged Construction Plan.</p> <p>Endorsement from the ER from Pitt & Sherry re. update section 3.2.13 of CTAMP to revise timing of sign and return of Driver's Code of Conduct by Drivers – SSD 7328. Submission of CTAMP to DPHI on 19/8/2022.</p>	NT
A15	If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program.	As above	No Staged strategies, plans and programs have been submitted to the DPHI during the audit period.	NT
Combined submission of strategies, plans or programs				
A16	With the approval of the Secretary, any strategy, plan or program required by this consent may be combined.	<p>Document Delivery Strategy, Rev 5, SIMTA, 22/02/18</p> <p>Interview with auditees 02/12/2024</p>	<p>Document Delivery Strategy, 22/02/18, Rev 5, SIMTA was approved in 2018. It is understood that plans have been submitted in accordance with the strategy and relevant specific conditions.</p> <p>No strategies, plans or programs have been combined for the audit period.</p>	NT
A17	In seeking the Secretary's approval, a clear relationship must be demonstrated between the strategies, plans or programs that are proposed to be combined.	<p>Document Delivery Strategy, Rev 5, SIMTA, 22/02/18</p> <p>Interview with auditees 02/12/2024</p>	<p>Document Delivery Strategy, 22/02/18, Rev 5, SIMTA was approved in 2018. It is understood that plans have been submitted in accordance with the strategy and relevant specific conditions.</p> <p>No strategies, plans or programs have been combined for the audit period.</p>	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
A18	<p>The date of commencement of each of the following phases of the development must be notified to the Department, at least one month before that date:</p> <ul style="list-style-type: none"> a) early works; b) fill importation; c) construction; d) operation; and e) occupation. <p>If the construction, operation or occupation of the development is to be staged, then the Applicant must notify the Department in writing at least one month before the commencement of each stage, and clearly identify the development to be carried out in that stage.</p>	<p>Email Tactical to DPHI, 01/02/18</p> <p>Letter Tactical to DPHI 31/7/2023 re. notification of commencement of Area 3 (WH6, WH7)</p> <p>Post Approval Form 31/7/2023 re. notification of commencement of Area 3</p>	<p>Notification of the commencement of early works and fill importation was issued in 2018. Construction officially began during the last audit period, with a notification provided in January 2019.</p> <p>Additionally, while the notification for the commencement of WH6 and WH7 operations was sighted on 31/7/2023, this condition is deemed not applicable for the audit period concerning the construction works.</p>	NT
Evidence of consultation				
A19	<p>Where conditions of this consent require a document to be prepared in consultation with an identified party, the Applicant must:</p> <ul style="list-style-type: none"> a) consult with the relevant party prior to submitting the subject document to the Secretary for approval; b) provide evidence that at least two weeks was provided for the relevant party to comment on the document; and c) include in the document: <ul style="list-style-type: none"> i. details of the consultation undertaken; ii. a description of how matters raised by those consulted have been resolved to the satisfaction of both the Applicant and the party consulted; and iii. details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved. 	<p>Consultation evidence addressed in relevant Conditions in this report</p> <p>Construction Transport Access Management Plan (CTAMP), Phase B Rev. O, 18/8/2022 by SIMTA</p>	<p>Stakeholder consultation is conducted where relevant for CEMP and subplans, this consultation is listed in approved plans. When the CTAMP Rev. B was carried out, consultation with TfNSW was conducted, this was outside audit period.</p>	C
Statutory requirements				
A20	<p>All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits, approvals and consents.</p>	<p>https://simta.com.au/mpe-2/</p> <p>https://simta.com.au/project-wide/</p> <p>Major WAD Construction MPE1 and MPE2, 25/5/2020 (v5)</p> <p>ROL No.2275212, TfNSW (TMC) for Moorebank Avenue Upgrade from 1/6/2024 to 1/7/2024</p> <p>ROL No.2275224, TfNSW (TMC) for Moorebank Avenue Upgrade from 1/6/2024 to 1/7/2024</p> <p>EPL No. 21054 (no expiry date)</p>	<p>The evidence indicates that relevant approvals have been obtained. Sighted:</p> <p>Major Works Authorisation Deed (WAD) – Private Financing and Construction of MPE Stage 1 and Stage 2, 25/5/2020 (v5).</p> <p>Road Occupancy Licences (ROL) approved by TfNSW (TMC) for Moorebank Avenue Upgrade:</p> <ul style="list-style-type: none"> - No. 2275212 - Shoulder Closures on Moorebank Avenue NB on new Stage 2A Road Configuration and - No. 2275224 - Gate 7 Access Control & NB Fencing Panels Removal on Moorebank Avenue. Lane 1 Closure, Lateral Shift and Stop/Slow via PTCO as required between Gate 7 and Anzac Road) from 1/6/2024 to 1/7/2024 	C
Demolition				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
A21	All demolition work must be carried out in accordance with the latest version of <i>Australian Standard AS 2601-2001: The Demolition of Structures</i> (Standards Australia, 2001) and the requirements of the <i>Work Health and Safety Regulation 2011</i> .	Construction Environmental Management Plan Moorebank Precinct East Stage 2, SIMTA, 25/09/2023 (Rev.18) (and subordinate Sub-plans) by SIMTA	Demolition compliance requirements are presented in section 1.3.3 of the CEMP. No demolition works under MPE2 during the audit period.	NT
Design masterplans				
A22	Prior to construction, the Applicant must prepare amended Development Layout Plans and Design Plans to the satisfaction of the Secretary which achieve the improvements and revisions referred to in conditions B140 and B141, including integration of Water Sensitive Urban Design (WSUD) and landscape design.	-	Refer Independent Audit No. 1. Development Layout Plans and Design Plans for Warehouse Precinct 1 were approved by DPHI 03/07/18.	NT
Water sensitive urban design				
A23	Prior to commencement of early works and fill importation, the Applicant must prepare amended WSUD plans that incorporate water sensitive urban design principles, be generally in accordance with relevant Council policies, plans and specifications, and address condition B40, to ensure that: <ul style="list-style-type: none"> a) the stormwater and drainage systems for the development will operate independently of any works proposed as part of the MPW Stage 2 development application (SSD 7709) that have not been incorporated in this development, unless development consent has been granted to those works under SSD 7709 prior to commencement of early works and fill importation; b) adequate overland flow paths have been provided in the event of stormwater system blockages and flows in excess of the 1% ARI rainfall event; c) on site detention basins are visually unobtrusive, d) that the design of the basins, and, associated setbacks and fencing, ensures public safety; e) adequate site area has been provided for stormwater treatment; f) design of stormwater treatment systems minimises the risk of failure; and g) setback of drainage work and fencing has been finalised in consultation with TNSW. <p>Note: Notwithstanding modification application SSD-7628-Mod-2, all drainage on the site must comply with this condition.</p>	-	A Stormwater Management Plan has been prepared to address the requirements of this condition. This plan was approved by DPHI on 02/07/18.	NT
Architectural plans				
A24	Prior to commencement of permanent built surface works and/or landscaping, the Applicant must prepare amended architectural plans that reflect updated plans required under the conditions.	Consolidated Urban Design and Landscape Plan (UDLP), Rev. 12, 18/12/2020 Letter 5/02/2024 DPHI-Qube re: MPE Stage 2 Urban design and landscape plan Submission of UDLP to DPHI, 6/08/2022 Urban Design and Landscape Plan (UDLP), Rev. 13, 13/10/2022	The auditees advise that it considers Condition A24 not triggered. Architectural plans have not required update prior to commencement of permanent built surface works. On 4/11/2020, Qube Property Development Management Services made a submission to the Department of following documents: <ul style="list-style-type: none"> - Consolidated Urban Design and Landscape Plan (UDLP), Revision 12, 18/12/2020 - Cycling and Pedestrian Access and Facilities Sub Plan Rev 7, dated 3 November 2020 - Landscape Vegetation Management Sub Plan Rev 8, dated 3 November 2020 	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Email to DPHI 12/12/2022, re-submission of the UDLP Rev.13</p> <p>Post Approval Form No. PA-189</p>	<ul style="list-style-type: none"> - Lighting Sub Plan Rev 8, dated 3 November 2020 - Employee Outdoor Meal Break Area Sub Plan Rev 7, dated 3 November 2020 - Signage Sub Plan Rev 7, dated 3 November 2020 <p>In a letter dated 5/02/2024, the DPHI approved the consolidated Urban Design and Landscape Plan (UDLP) which includes architectural plans. It was noted that an updated UDLP and Sub-Plans must be resubmitted, reflecting the detailed design for each future stage, prior to the commencement of permanent built surface works and/or landscaping for each stage, unless otherwise agreed by the Planning Secretary. The Department may required to seek the Planning Secretary's approval of the UDLP and relevant Sub-Plans if the 'for information' submission does not meet the conditions of consent.</p> <p>UDLP was revised on 13/10/2022 (Rev.13) and submitted to DPHI for information; then responded to the DPHI RFI and re-submitted on the 12/12/2022.</p>	
Access for people with disability				
A25	The siting, design and construction of premises available to the public are to ensure an appropriate level of accessibility so that all people can enter and use these premises. Access is to meet the requirements of the Disability Discrimination Act 1992, relevant Australian Standards and Building Code of Australia (BCA)	<p>Occupation Certificate No. 211790/12 (Warehouse 6, excluding 1st floor), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/14 (Warehouse 6, including 1st floor offices), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/08 (Warehouse 7 and Main office Stage 1 only), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/09 (Racking Warehouse 7), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/010 (For complete Warehouse 7 excluding mezzanine floor), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/11 (Mezzanine floor in Warehouse 7 only), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/13 (The remainder of racking storage in Warehouse 7), McKenzie Group, 31/01/2018</p>	<p>The Certifier has verified that the access requirements for the buildings satisfy the <i>Disability Discrimination Act 1992</i> and BCA as relevant.</p> <p>Occupation Certificate for Warehouses 6 and 7 were sighted to confirm this.</p> <p>Note: WolfPeak considers that it is the role of the Certifier or other authority/ expert to verify compliance under this condition.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Occupation Certificate No. 211790/15 (Warehouse 5 and 7b), McKenzie Group, 31/01/2018		
Structural adequacy				
A26	<p>All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development must be constructed in accordance with the relevant requirements of the BCA.</p> <p>Note:</p> <ul style="list-style-type: none"> Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the development. 	<p>Interview with auditees 02/12/2024</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, McKenzie Group, 06/06/19</p> <p>Occupation Certificate No. 211790/12 (Warehouse 6, excluding 1st floor), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/14 (Warehouse 6, including 1st floor offices), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/08 (Warehouse 7 and Main office Stage 1 only), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/09 (Racking Warehouse 7), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/010 (For complete Warehouse 7 excluding mezzanine floor), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/11 (Mezzanine floor in Warehouse 7 only), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/13 (The remainder of racking storage in Warehouse 7), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/15 (Warehouse 5 and 7b), McKenzie Group, 31/01/2018</p>	<p>The Certifier has verified that buildings and structures satisfy the BCA as relevant. Occupation Certificates for warehouses 1, 6 and 7 were sighted and confirm compliance with this condition.</p> <p>Note: WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition.</p>	C
Utilities and services				
A27	Before the construction of any utility works associated with the development, approvals required from service providers must be obtained.	Interview with auditees 02/12/2024	It is understood that gas, water and communications service adjustments were required for the temporary realignment of Moorebank Avenue and the	C

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		<p>Asset Works Agreement Letter of Offer, Jemena, 28/05/20 (gas)</p> <p>Asset Works Agreement Letter of Offer 28/05/2020 from Jemena</p> <p>Telstra Asset relocation SI 190668/02 - Scope of Works for the Protection and Relocation of Telstra Assets 1/09/2020 Issue 2</p> <p>Sydne Water Sewage Drawings, Case No. 180619WW, (from 1 to 36) issued on 30/11/2022, stamped by Qalchek Pty Ltd 02/12/2022 (Issue S)</p>	<p>MAUW works. Connections for warehouses are verified by the Certifier prior to the issue of each relevant Certificate.</p> <p>Asset Works Agreement Letter of Offer dated 28/05/2020 from Jemena was sighted as well as Telstra asset relocation 1/9/2020 Issue 2.</p> <p>Sydney Water Sewage drawings provided (36 in total) issued on 30/11/2022</p>	
A28	Prior to operation of the development, a compliance certificate for water and sewerage infrastructure servicing of the site under section 73 of the <i>Sydney Water Act 1994</i> must be obtained.	Section 73 Compliance Certificates, Sydney Water, 18/07/19	The Section 73 certificates were obtained prior to operations	NT
Protection of public infrastructure				
A29	<p>Before the commencement of construction, the Applicant must:</p> <ol style="list-style-type: none"> consult with the relevant owner and provider of utility services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection, and support of the affected infrastructure; prepare a dilapidation report identifying the condition of all public infrastructure between the M5 and the site and any local roads identified in the Heavy Vehicle Route Plan required under condition B2 (including roads, gutters and footpaths); and submit a copy of the dilapidation report to the Secretary and Council. 	<p>Interview with auditees 02/12/2024</p> <p>Dilapidation surveys for MPES1 and MPWS1 Project</p> <p>Submission to DPPI, via email on 8/06/2018</p>	Dilapidation surveys were undertaken prior to commencement of construction of the MPES1 and MPWS1 Project. The reports were resubmitted to DPPI, via email on 8/06/2018 to satisfy this condition. These surveys covered the whole precinct.	NT
A30	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <ol style="list-style-type: none"> repair, or pay the full costs associated with repairing any public infrastructure that is damaged by carrying out the development; and relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development. 	<p>Interview with auditees 02/12/2024</p> <p>Sydney Water Sewage Drawings, Case No. 180619WW, (from 1 to 36) issued on 30/11/2022, stamped by Qalchek Pty Ltd 02/12/2022 (Issue S)</p>	The auditees are not aware of any damage to public infrastructure. There was one relocation for the sewage to the west. Sighted Sydney Water approved drawings from Qalchek 02/12/2022 (Issue S).	C
Local development contributions				
A31	Prior to the issue of a Construction Certificate, the Applicant must pay a monetary levy of 1% of the development Capital Investment Value (\$3,577,900) or other amount agreed to by Liverpool City Council for transport, drainage, community facilities, administration and professional and legal fees pursuant to section 94B (2) of the EP&A Act 1979.	<p>Interview with auditees 02/12/2024</p> <p>CC1 No.211790/01 for Stage 1, 20/5/2022 from McKenzie Group</p>	Construction Certificate No.211790/01 for Stage 1, 20/5/2022 from McKenzie Group was presented and item #13 includes the receipt for Local Development Contributions as per DA Condition A31 prepared by Liverpool City Council, 15/6/2018.	C
Operation of plant and equipment				

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A32	<p>All plant and equipment used at the site or to monitor performance of the development must be:</p> <ul style="list-style-type: none"> a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner 	<p>Project Induction, Moorebank Ave Nov 2024, BMD</p> <p>BMD Plant assessor system</p> <p>Vacuum Truck</p> <p>Sweeper pre-start 21/10/2023</p> <p>Water Cart service sheet, 3/10/23 (250hrs next inspection at 500hrs)</p> <p>Excavator 13/01/2023 maintenance inspection record (500hr)</p>	<p>Evidence was provided that demonstrates proper maintenance of plant and equipment, and that licences, tickets and verification of competency is required for plant operators.</p>	C
PART B ENVIRONMENTAL PERFORMANCE AND MANAGEMENT				
B1	<p>The Applicant must:</p> <ul style="list-style-type: none"> a) prepare each plan, program, and other documents in consultation with the specified stakeholders; b) not commence each phase of the project until the plans, programs and other documents required under this consent are approved by or, where not required to be approved, submitted to the Secretary specified within the timeframes; and c) implement the most recent version of the required plans and programs approved by the Secretary for the duration of the development 	<p>Interview with auditees 2/12/2024 and site inspection 4/12/2024</p> <p>Construction Environmental Management Plan Moorebank Precinct East Stage 2, SIMTA, 25/09/2023 (Rev.18) (and subordinate Sub-plans) by SIMTA</p> <p>Letter DPHI, 18/12/2023 re. approval of CEMP Rev.18</p> <p>Letter from DPHI 18/12/2023 re. approval of CAQMP Rev.17, CDWMP Rev. 13, CFFMP Rev.17, CHMP Rev.16, CNVMP Rev.17 and CFERP Rev.13</p> <p>Bushfire Emergency Evacuation Plan Rev 12, 18/8/2022 by SIMTA</p> <p>Construction Noise & Vibration Management Plan Rev 17, 18/8/2022 by SIMTA</p> <p>Construction Heritage Management Plan Rev 16, 18/8/2022 by SIMTA</p> <p>Construction Flora and Fauna Management Plan Rev 17, 18/8/2022 by SIMTA</p> <p>Construction Soil and Water Management Plan Rev 20, 25/9/2023 by SIMTA</p>	<p>The CEMP and associated sub-plans have been developed to comply with this condition. The CEMP was initially approved by the Department on 08/06/18 (prior to the current audit period). Updates to the plans have been made to ensure they remain current. The CEMP has undergone 18 revisions including updates approved by the Department, DAWE and minor updates approved by the ER. The Department last approved the CEMP Rev.18 in December 2023.</p> <p>The following dates apply:</p> <ul style="list-style-type: none"> • Commencement of WH6 and WH7 construction 2022 and operations in 2023 • OSD 10 works construction commenced in 2024 and is ongoing. • Sewage relocation works commenced 2022 and completed recently 2024 • Moorebank Avenue Upgrade works ongoing since 2019. <p>ER Monthly reports were sighted and are evidence of implementation of the CEMP and sub-plans was evident during the site inspection.</p> <p>Submission to DPHI for each of the plans was sighted through the Post Approval Document lodgements as follows:</p> <p>SSD-7628-PA-101 for CSWMP Rev.18 and CЕСSCP v.8</p> <p>SSD-7628-PA-104 for CSMP V.14</p> <p>SSD-7628-PA-170 for CEMP Rev.17</p> <p>SSD-7628-PA-171 for CTAMP Rev.0</p> <p>SSD-7628-PA-172 for BEEP Rev.12</p> <p>SSD-7628-PA-173 for CAQMP Rev.17</p> <p>SSD-7628-PA-174 for CDWMP Rev.13</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Construction Flood and Emergency Response Plan Rev 13, 18/8/2022 by SIMTA</p> <p>Community Communication Strategy Rev 11, 19/3/2021 by SIMTA</p> <p>Construction Demolition Waste Management Plan Rev 13, 18/8/2022 by SIMTA</p> <p>Construction Spoil Management Plan Rev14, 19/3/2021 by SIMTA</p> <p>Construction Air Quality Management Plan Rev 17, 18/8/2022 by SIMTA</p> <p>Construction Bushfire Management Plan MPE Stage 2 Rev 10, 6/08/2020 by SIMTA</p> <p>Construction Transport Access Management Plan (CTAMP), Phase B Rev. O, 18/8/2022 by SIMTA</p> <p>Stormwater Management Plan MPES2, Costin Roe Consulting, 12/10/2018 Rev. A</p> <p>Post Approval Document for: (SSD-7628-PA-101); (SSD-7628-PA-104); (SSD-7628-PA-170); (SSD-7628-PA-171); (SSD-7628-PA-172); (SSD-7628-PA-173); (SSD-7628-PA-174); (SSD-7628-PA-175); (SSD-7628-PA-176); (SSD-7628-PA-177); (SSD-7628-PA-178) and (SSD-7628-PA-179)</p>	<p>SSD-7628-PA-175 for CFFMP Rev.17</p> <p>SSD-7628-PA-176 for CHMP Rev.16</p> <p>SSD-7628-PA-177 for CNVMP Rev.17</p> <p>SSD-7628-PA-178 for CSWMP Rev.19</p> <p>SSD-7628-PA-179 for FERP Rev.13</p> <p>Prior finalisation of this audit report, the applicant presented the submission of the following plans to the DPHI on the 11/12/2024:</p> <ul style="list-style-type: none"> • CEMP (Rev 19, 03/12/2024) • CAQMP (Rev 018, 03/12/2024) • CNVMP (Rev 018, 04/12/2024) • CFFMP (Rev 018, 03/12/2024) • CHMP (Rev 017, 03/12/2024) • CDWMP (Rev 014, 03/09/2024) • CSWMP (Rev 021, 03/12/2024) • CTAMP - Phase B (Rev P, 03/12/2024) • CFERP (Rev 014, 03/12/2024) • CBMP (Rev 011, 03/12/2024) • CCCS (Rev 012, 03/12/2024) • BEEP (Rev 013, 03/12/2024) • CSMP (Rev 015, 03/12/2024) 	
Traffic and transport				
B2	<p>Prior to commencement of early works and construction, the Applicant must prepare a Construction Traffic and Access Management Plan (CTMP) to the satisfaction of the Secretary. The Plan must form part of the CEMP required by condition C1 and must:</p> <ol style="list-style-type: none"> a) be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Secretary; b) be prepared in consultation with Council, TfNSW and TfNSW; c) include details of all transport routes and traffic types to be used for development-related traffic, access and parking arrangements; <ol style="list-style-type: none"> i. include a protocol for undertaking dilapidation surveys to assess the existing condition of the transport routes prior to construction works; and ii. condition of the transport routes following construction works; d) include a protocol for the repair of any roads identified in the dilapidation surveys to have been damaged during construction and demolition works; e) include details of: 	-	A CTMP has been prepared to address the requirements of this condition. This was approved by DPHI on 15/06/18.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> i. staging of construction works; ii. construction vehicle routes; iii. heavy vehicle movements associated with spoil and demolition material transport off-site; iv. construction traffic generation; v. hours of construction; vi. parking for workers; and vii. access arrangements. <p>f) include a Heavy Vehicle Route Plan detailing:</p> <ul style="list-style-type: none"> I. the origin and destination of spoil / fill and demolition material; and II. details of the heavy vehicle routes to and from the site within the Campbelltown and Liverpool Local Government Areas (LGAs). <p>g) include details of the measures to be implemented to minimise traffic safety issues and disruption to local road users including pedestrians / cyclists during construction works, including:</p> <ul style="list-style-type: none"> i. temporary traffic controls, including detours and signage; how two lanes of traffic on Moorebank Avenue will be available at all times during construction (unless otherwise approved by TfNSW); ii. temporary traffic controls, including detours and signage; iii. notifying the local community about development-related traffic impacts; iv. responding to any emergency repair requirements or maintenance during construction; and v. a traffic management system for managing oversized vehicles. <p>h) include a driver's code of conduct that requires:</p> <ul style="list-style-type: none"> i. compliance with specified travelling speeds; ii. drivers to adhere to specified transport routes, including no access from Cambridge Avenue; and iii. drivers to implement safe driving practices. <p>i) include a program to monitor the effectiveness of these measures; and</p> <p>j) detail procedures for notifying residents and the community (including local schools), of any potential disruptions to transport routes.</p>			
B3	<p>The Applicant must:</p> <ul style="list-style-type: none"> a) not commence early works or construction until the Construction Traffic Management Plan required by condition B2 is approved by the Secretary; and b) carry out the development in accordance with the most recent version of the Construction Traffic Management Plan approved by the Secretary, 	<p>Construction Transport Access Management Plan (CTAMP), Phase B Rev. O, 18/8/2022 by SIMTA</p> <p>Letter from Pitt & Sherry re. update section 3.2.13 of CTAMP</p> <p>Post Approval Form PA-171, 19/8/2022</p> <p>Major WAD Construction MPE1 and MPE2, 25/5/2020 (v5)</p> <p>Delivery Driver Induction, BMD, June 2024</p> <p>Letter from Pitt & Sherry (ER) to Aspect, 22/7/2022 re. approval of RFMA 041 update section 3.2.13 of CTAMP to revise timing of sign and return of Driver's Code of Conduct (DCC)</p> <p>Complaints register current to 1/12/24 (publicly available, summary issued to</p>	<p>TfNSW noted in consultation of Compliance with conditions of consent B3-B8, B10-12, B13, B14-20, B21-B24 is still relevant for the Phase B construction work and TfNSW will require these documents for review and approval as part of the WAD for the temporary diversion road and Moorebank Avenue Road upgrades. The executed WAD demonstrates that this has been fulfilled.</p> <p>Evidence provided indicates that Vehicle Management Plans (VMP) have been prepared in alignment with the CTAMP. Additionally, development requirements regarding road rules, access, safety, and environmental considerations have been effectively communicated through delivery driver inductions.</p> <p>Delivery trucks are required to report to BMD office, where the induction provides instructions on their designated routes. Drives code of conduct is embedded as part of the induction (Appendix C). Entry to the site is through IMEX area and access gates are all controlled. During the audit period, there was a minimal presence of heavy vehicles, and no traffic complaints related to MPES2 were reported.</p> <p>No queuing was observed during the site inspection. Traffic controllers are deployed near the gates as needed, and traffic signalised lights are in place.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>DPE and complaints management system extract)</p> <p>Moorebank Avenue Upgrade Works, Moorebank Ave - Vehicle Management Plan Master (inc. Moorebank Ave, JLU intersection, Gate 1, Gate A1 and A2, Gate2, Gate B1 and B2, Gates 3N and 3S, Gate 4 Cafe, Gate 6 IMEX, Gate 7 and 8, Gate 9, BMD, 9/8/24 Rev.27</p> <p>Chain of Responsibility Management Plan WAD2, BMD (Stage 2 of West), however plan mentioned MAUW / MAAI, 5/7/2024, Rev. 5</p> <p>Traffic Management Plan Moorebank Ave Works – WAD1, BMD, 16/03/2023, Rev M</p> <p>Moorebank Ave - Vehicle Management Plan, Rev. 26, 24/4/2024</p> <p>IMEX VMP, 09/8/2024</p> <p>Vehicle Management Plan (VMP) 08 – Gate 4 Café, 24/4/2024 Rev.26 (roughly 7 access gates in MPE with a plan for each)</p>	<p>The Applicant noted that the actual number of construction vehicles is significantly lower than the EIS predictions, approximately 50 vehicles.</p> <p>Presented letter from Pitt & Sherry (ER) to Aspect, 22/7/2022 re. approval of RFMA 041 update section 3.2.13 of CTAMP to revise timing of sign and return of Driver's Code of Conduct (DCC)</p> <p>Moorebank Avenue Upgrade Work (MAUW) included in the Chain of Responsibility Plan.</p> <p>No traffic complaints related to MPES2 were received during the audit period.</p>	
B4	A Road Occupancy Licence is to be obtained from the Transport Management Centre for any works that may impact on traffic flows on Moorebank Avenue or the adjoining State road network during construction activities.	<p>Construction Transport Access Management Plan (CTAMP), Phase B Rev. O, 18/8/2022 by SIMTA</p> <p>Major WAD Construction MPE1 and MPE2, 25/5/2020 (v5)</p> <p>ROL No.2275212, TfNSW (TMC) for Moorebank Avenue Upgrade from 1/6/2024 to 1/7/2024</p> <p>ROL No.2275224, TfNSW (TMC) for Moorebank Avenue Upgrade from 1/6/2024 to 1/7/2024</p>	<p>The access points to MPE were established under MPE1 SSD 6766.</p> <p>TfNSW noted in consultation of Compliance with conditions of consent B2-B8, B10-12, B13, B14-20, B21-B24 is relevant for the Phase B construction work and TfNSW will require these documents for review and approval as part of the WAD for the temporary diversion road and Moorebank Avenue Road upgrades. The executed WAD dated 25/5/2020 demonstrates that this has been fulfilled.</p>	C
B5	A construction zone will not be permitted on Moorebank Avenue without the express approval of TfNSW .	<p>Construction Transport Access Management Plan (CTAMP), Phase B Rev. O, 18/8/2022 by SIMTA</p> <p>Major WAD Construction MPE1 and MPE2, 25/5/2020 (v5)</p>	<p>TfNSW noted in consultation of Compliance with conditions of consent B2-B8, B10-12, B13, B14-20, B21-B24 is relevant for the Phase B construction work and TfNSW will require these documents for review and approval as part of the WAD for the temporary diversion road and Moorebank Avenue Road upgrades. The executed WAD dated 25/5/2020 demonstrates that this has been fulfilled.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>ROL No.2275212, TfNSW (TMC) for Moorebank Avenue Upgrade from 1/6/2024 to 1/7/2024</p> <p>ROL No.2275224, TfNSW (TMC) for Moorebank Avenue Upgrade from 1/6/2024 to 1/7/2024</p>		
B6	All demolition and construction vehicles must be contained wholly within the site and vehicles must enter the site before stopping.	<p>Site inspection 4/12/2024</p> <p>Delivery Driver Induction, BMD, June 2024</p> <p>Complaints register current to 1/12/24 (publicly available, summary issued to DPHI and complaints management system extract)</p> <p>Moorebank Avenue Upgrade Works, Moorebank Avenue - Vehicle Management Plan Master, BMD, 24/4/2024, Rev.26 and 9/8/24 Rev.27</p> <p>Vehicle Management Plan (VMP) 08 – Gate 4 Café, 24/4/2024 Rev.26 (about 7 access gates in MPE – so there is a plan for each)</p>	<p>No queuing was observed during the site inspection. The complaints register does not have any complaints relating to trucks queuing on Moorebank Avenue.</p> <p>VMPs developed by BMD are consistent with the CTAMP, and that development requirements relating to road rules, access, safety and environment have been communicated through issue of delivery driver inductions.</p> <p>Traffic controllers are in place near the gates, when required, so trucks should not stop on the public roads and get into the site under the supervision of the traffic controller. Traffic signalised lights.</p>	C
B7	All vehicles are to enter and leave the site in a forward direction.	<p>Site inspection 4/12/2024</p> <p>Construction Transport Access Management Plan (CTAMP), Phase B Rev. O, 18/8/2022 by SIMTA</p> <p>Moorebank Avenue Upgrade Works, Moorebank Ave - Vehicle Management Plan Master, BMD, 24/4/2024, Rev.26 and 9/8/24 Rev.27</p>	<p>Forward in and out is specified in the management plans and observed on site. There is no need for reversing under the site arrangements.</p>	C
B8	All trucks entering or leaving the site with loads must have their loads covered and must not track dirt onto any public road.	<p>Site inspection 4/12/2024</p> <p>Delivery Driver Induction, BMD, June 2024</p> <p>Progressive ESCP/Environmental Site Plan, BMD, 23/09/2024</p>	<p>The delivery driver induction includes the requirements to cover loads and not track material onto public roads. The site arrangement aligned with the Project erosion and sediment control plan. Requirements appear to have been communicated to the workforce.</p> <p>Cattle grid in place, sweeper on site full time and check through the day by formants and drivers to ensure trucks have their loads covered.</p>	C
Road safety audit				
B9	Prior to commencement of any importation of site fill, the Applicant must undertake a Road Safety Audit for heavy vehicle movements associated with the importation of fill, for construction vehicle swept paths in and out of the development site via the proposed temporary construction access	-	A Road Safety Audit dated 19/02/2018 has been undertaken. No corrective actions were identified.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>points along Moorebank Avenue, and for motorists and construction vehicle movements along Moorebank Avenue during the staged road upgrade works identified in condition B13.</p> <p>The Road Safety Audit is to be prepared by an independent TfNSW accredited road safety auditor in accordance with the relevant Austroads guidelines to identify any safety issues. The Road Safety Audit must consider road safety issues for the proposed construction access arrangements and affected vehicle movements during upgrade works on Moorebank Avenue.</p> <p>The Applicant must recommend corrective actions for the identified safety issues and propose appropriate traffic management measures (i.e. temporary traffic signals and other traffic management measures) in consultation and with the approval of the relevant Council, TfNSW and TfNSW.</p>			
Site access and layout design plan				
B10	<p>The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, must be in accordance with Austroads requirements.</p> <p>Prior to commencement of construction on permanent infrastructure a plan must be submitted to the Secretary and TfNSW for approval, which shows that the proposed development complies with this requirement.</p>	<p>Construction Transport Access Management Plan (CTAMP), Phase B Rev. O, 18/8/2022 by SIMTA</p> <p>Major WAD Construction MPE1 and MPE2, 25/5/2020 (v5)</p>	<p>TfNSW noted in consultation of Compliance with conditions of consent B2-B8, B10-12, B13, B14-20, B21-B24 is relevant for the Phase B construction work and TfNSW will require these documents for review and approval as part of the WAD for the temporary diversion road and Moorebank Avenue Road upgrades. The executed WAD dated 25/5/2020 demonstrates that this has been fulfilled.</p>	C
B11	<p>The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) must be in accordance with AS2890.1-2004 Parking facilities Off-street car parking, AS2890.6-2009 Parking facilities Off-street parking for people with disabilities and AS2890.2-2002 Parking facilities Off-street commercial vehicle facilities for heavy vehicle usage.</p>	<p>Urban Design and Landscape Plan (UDLP), Rev. 13, 13/10/2022</p> <p>Submission of UDLP to DPPI, 6/08/2022</p> <p>Email to DPPI 12/12/2022, re-submission of the UDLP Rev.13</p> <p>Post Approval Form No. PA-189</p> <p>Occupation Certificate No. 211790/12 (Warehouse 6, excluding 1st floor), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/14 (Warehouse 6, including 1st floor offices), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/08 (Warehouse 7 and Main office Stage 1 only), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/09 (Racking Warehouse 7), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/010 (For complete Warehouse 7 excluding mezzanine floor), McKenzie Group, 31/01/2018</p>	<p>The Urban Design and Landscape Plan Rev. 13 – 13/10/2022 was approved by the DPPI 12/12/2022 and included updates required prior to the construction of permanent built surface works for each future stage. The Certifier has verified that the layout of car parking areas for each warehouse align with design.</p> <p>It was noted that there are no car parking areas within Moorebank Avenue Upgrade Works and this condition is not applicable on the minor ancillary facility of BMD site.</p> <p>Carpark on WH6 and WH7 were included in the UDP approved by DPPI and the OC Certificates sighted during the audit.</p> <p>Note: WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Occupation Certificate No. 211790/11 (Mezzanine floor in Warehouse 7 only), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/13 (The remainder of racking storage in Warehouse 7), McKenzie Group, 31/01/2018</p> <p>Occupation Certificate No. 211790/15 (Warehouse 5 and 7b), McKenzie Group, 31/01/2018</p>		
B12	<p>The development is to be designed so that:</p> <ul style="list-style-type: none"> a) all vehicles are wholly contained on site before being required to stop; b) adequate parking for heavy vehicles is provided on-site to accommodate any potential delays in schedule time; c) all loading and unloading of materials is carried out on-site; and d) site roads accommodate buses, bus infrastructure and cyclist use for employees. <p>Road Infrastructure Upgrades to be undertaken by the Applicant.</p>	<p>Construction Transport Access Management Plan (CTAMP), Phase B Rev. O, 18/8/2022 by SIMTA</p> <p>Major WAD Construction MPE1 and MPE2, 25/5/2020 (v5)</p> <p>Urban Design and Landscape Plan (UDLP), Rev. 13, 13/10/2022</p> <p>Email to DPHI 12/12/2022, re-submission of the UDLP Rev.13</p> <p>Post Approval Form No. PA-189</p> <p>Site inspection 4/12/2024</p>	<p>With respect to road works, TfNSW noted in consultation for Compliance with conditions of consent B2-B8, B10-12, B13, B14-20, B21-B24 is still relevant for the Phase B construction work and TfNSW will require these documents for review and approval as part of the WAD for the temporary diversion road and Moorebank Avenue Road upgrades. The executed WAD dated 25/5/2020 demonstrates that this has been fulfilled.</p> <p>Adequate infrastructure was sighted during the inspection. Refer to findings above in relation to permanent infrastructure.</p>	C
Road infrastructure upgrades				
B13	<p>The Applicant is to undertake the following upgrades, in accordance with the specified timing requirements, as set out in Table 1.</p>	<p>Interview with auditees 02/12/2024 and 04/12/2024</p> <p>https://www.planningportal.nsw.gov.au/major-projects/project/12316</p> <p>Major WAD Construction MPE1 and MPE2, 25/5/2020 (v5)</p> <p>Email 14/11/2024 ESR-TfNSW re: MAUW North - 50% design submission</p> <p>Email 24/11/2024 TfNSW-ESR re: response to submission</p> <p>Email 26/11/2024 Aspect-DPHI/ESR re: confirmation of design status - Condition B13</p> <p>Assessment Report SSD-7628-MOD-1 re. Changes to timing for road upgrade</p>	<p>The auditee presented the following evidence to address this condition, and the non-compliance raised in the previous audit:</p> <p>Modification 1 (MOD-1) to change timing for road upgrade design approval and completion of works was approved by the Department on the 14/3/2022.</p> <p>Modification 5 (MOD-5) to change the design and completion timing requirements for delivering upgrades at the selected roads/intersections, allow changes to the entity responsible for designing and constructing each upgrade an alternate wording for existing condition B13. MOD-5 was approved by the Department on the 4/9/2023. MOD-5 took out the requirement for 3 items on this condition. No Occupation Certificate has been received yet to address item 1 (refer to Mod-5); works have been delivered and will be fulfill approximately in Dec 2026. 100% design was achieved by 1/12/2024. On 14/11/2024, ESR made the submission of the 100% design for MAUW North for the purpose of satisfying Condition B13 of SSD 7628 to TfNSW. TfNSW approved the submitted design on 24/11/2024. Aspect made the submission to DPHI on 26/11/2024.</p> <p>References are made on the Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status															
	<p>Table 1: Required Upgrades and Specified Timing Requirements</p> <table border="1"> <thead> <tr> <th data-bbox="409 474 587 537">Item</th> <th data-bbox="587 474 774 537">Upgrade</th> <th colspan="3" data-bbox="774 474 1347 537">Specified Timing Requirements</th> </tr> <tr> <th data-bbox="409 537 587 611"></th> <th data-bbox="587 537 774 611"></th> <th data-bbox="774 537 997 611">Upgrade requirements</th> <th data-bbox="997 537 1175 611">Required timing for 100% design approval by RMS TfNSW</th> <th data-bbox="1175 537 1347 611">Required timing for completion of upgrade</th> </tr> </thead> <tbody> <tr> <td data-bbox="409 611 587 1430">1</td> <td data-bbox="587 611 774 1430"> <p>Moorebank Avenue Upgrade, being the upgrade of Moorebank Avenue to four lanes between Anzac Avenue and the IMEX Terminal Main access point, or, if the Moorebank Avenue Realignment is delivered (SSI-10053), the upgrade of Moorebank Avenue to four lanes between Anzac Avenue and the IMEX Terminal Main access point but excluding any works subject to the Moorebank Avenue Realignment (SSI-10053)</p> </td> <td data-bbox="774 611 997 1430"> <p>Indicative layout provided by Applicant, subject to design development and approval by RMS, and incorporating a bicycle/pedestrian share lane</p> <p>Where Moorebank Avenue Realignment is delivered: As described in the indicative layout plans provided by the Applicant titled "Civil Engineering Package - General Arrangement Plan Sheet 01 to 03 dated 25 July 2023 (drawing number 0005 revision 01, drawing number 0012 revision 01 and drawing number 013 revision 01)", subject to design development to TfNSW's satisfaction.</p> <p>Where Moorebank Avenue Realignment not delivered: Indicative layout provided by Applicant, subject to design development and approval by TfNSW, and incorporating a bicycle/pedestrian share lane.</p> </td> <td data-bbox="997 611 1175 1430"> <p>To be obtained prior to the issue of the first Occupation Certificate for warehousing in excess of 132,000m² on the site</p> <p>Where Moorebank Avenue Realignment delivered: 1 December 2024</p> <p>Where Moorebank Avenue Realignment not delivered: To be obtained within 12 months of the date of this consent, or prior to the issue of the first Occupation Certificate for warehousing, whichever is the sooner.</p> </td> <td data-bbox="1175 611 1347 1430"> <p>Prior to issue of an Occupation Certificate for warehousing in excess of 132,000m² of gross floor area</p> <p>By 31 December 2026, unless otherwise agreed by the Secretary of Transport for NSW.</p> </td> </tr> </tbody> </table>	Item	Upgrade	Specified Timing Requirements					Upgrade requirements	Required timing for 100% design approval by RMS TfNSW	Required timing for completion of upgrade	1	<p>Moorebank Avenue Upgrade, being the upgrade of Moorebank Avenue to four lanes between Anzac Avenue and the IMEX Terminal Main access point, or, if the Moorebank Avenue Realignment is delivered (SSI-10053), the upgrade of Moorebank Avenue to four lanes between Anzac Avenue and the IMEX Terminal Main access point but excluding any works subject to the Moorebank Avenue Realignment (SSI-10053)</p>	<p>Indicative layout provided by Applicant, subject to design development and approval by RMS, and incorporating a bicycle/pedestrian share lane</p> <p>Where Moorebank Avenue Realignment is delivered: As described in the indicative layout plans provided by the Applicant titled "Civil Engineering Package - General Arrangement Plan Sheet 01 to 03 dated 25 July 2023 (drawing number 0005 revision 01, drawing number 0012 revision 01 and drawing number 013 revision 01)", subject to design development to TfNSW's satisfaction.</p> <p>Where Moorebank Avenue Realignment not delivered: Indicative layout provided by Applicant, subject to design development and approval by TfNSW, and incorporating a bicycle/pedestrian share lane.</p>	<p>To be obtained prior to the issue of the first Occupation Certificate for warehousing in excess of 132,000m² on the site</p> <p>Where Moorebank Avenue Realignment delivered: 1 December 2024</p> <p>Where Moorebank Avenue Realignment not delivered: To be obtained within 12 months of the date of this consent, or prior to the issue of the first Occupation Certificate for warehousing, whichever is the sooner.</p>	<p>Prior to issue of an Occupation Certificate for warehousing in excess of 132,000m² of gross floor area</p> <p>By 31 December 2026, unless otherwise agreed by the Secretary of Transport for NSW.</p>	<p>design approval and completion of works, 14/3/2022</p> <p>Assessment Report SSD-7628-MOD-5 re. Changes to timing and delivery requirements for selected road and intersection upgrades, 4/9/2023</p> <p>Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, SIMTA, 26/03/20 and 15/05/20</p>		
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B14	<p>A Works Authorisation Deed(s) (WAD) with TfNSW is to be executed by the Applicant for the infrastructure listed in condition B13 prior to the issue of the first Occupation Certificate for warehousing the required timing for 100% design approval by RMS TfNSW for the relevant upgrade required by condition B13.</p>	<p>2018/9696 Moorebank Avenue, Moorebank Voluntary Planning Agreement</p>	<p>WAD was executed in September 2019 as part of the 2018/9696 Moorebank Avenue, Moorebank Voluntary Planning Agreement</p>	C															
B15	<p>Traffic Control Signal (TCS) plans must be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner. The designs submitted to TfNSW must be in accordance with Austroads Guide to Road Design in association with relevant TfNSW supplements (available on www.rms.nsw.gov.au).</p>	<p>Construction Transport Access Management Plan (CTAMP), Phase B Rev. O, 18/8/2022 by SIMTA</p> <p>Major WAD Construction MPE1 and MPE2, 25/5/2020 (v5)</p>	<p>With respect to road works, TfNSW noted in consultation of Compliance with conditions of consent B2-B8, B10-12, B13, B14-20, B21-B24 is still relevant for the Phase B construction work and TfNSW will require these documents for review and approval as part of the WAD for the temporary diversion road and Moorebank Avenue Road upgrades. The executed WAD demonstrates that this has been fulfilled.</p> <p>No new Traffic Control Signals (TCS) have been required during the audit period.</p>	NT															

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B16	TfNSW fees for administration, plan checking, civil works inspections and project management must be paid by the Applicant prior to the commencement of works. The Applicant may be required to dedicate land for the maintenance of the traffic control lights. Further details will be included in the WAD process.	Construction Transport Access Management Plan (CTAMP), Phase B Rev. O, 18/8/2022 by SIMTA Major WAD Construction MPE1 and MPE2, 25/5/2020 (v5)	With respect to road works, TfNSW noted in consultation of Compliance with conditions of consent B2-B8, B10-12, B13, B14-20, B21-B24 is still relevant for the Phase B construction work and TfNSW will require these documents for review and approval as part of the WAD for the temporary diversion road and Moorebank Avenue Road upgrades. The executed WAD dated 25/5/2020 demonstrates that this has been fulfilled. Upgrade works have not commenced.	NT
B17	The proposed road upgrade, road raising and widening works by the Applicant along Moorebank Avenue must be designed to meet TfNSW requirements, and endorsed by a suitably qualified person(s). The design requirements must be in accordance with Austroads guidelines and other Australian Codes of Practice.	Construction Transport Access Management Plan (CTAMP), Phase B Rev. O, 18/8/2022 by SIMTA Major WAD Construction MPE1 and MPE2, 25/5/2020 (v5)	With respect to road works, TfNSW noted in consultation of Compliance with conditions of consent B2-B8, B10-12, B13, B14-20, B21-B24 is still relevant for the Phase B construction work and TfNSW will require these documents for review and approval as part of the WAD for the temporary diversion road and Moorebank Avenue Road upgrades. The executed WAD dated 25/5/2020 demonstrates that this has been fulfilled.	C
B18	The works associated with traffic lights and road upgrade works detailed in condition B13 are to be designed and delivered at no cost to TfNSW or TfNSW unless otherwise agreed by TfNSW and TfNSW.	Interview with auditees 2/12/2024	Noted.	C
B19	The Applicant is responsible for all works required by public utility adjustment/relocation works necessitated by the road infrastructure upgrade works and as required by the various public utility authorities and/or their agents.	Interview with auditees 2/12/2024 Sydney Water Sewage Drawings, Case No. 180619WW, (from 1 to 36) issued on 30/11/2022, stamped by Qalchek Pty Ltd 02/12/2022 (Issue S)	There was one relocation for the sewage to the west. Sighted Sydney Water approved drawings from Qalchek 02/12/2022 (Issue S).	C
B20	All works/ regulatory signposting associated with the road infrastructure upgrades must be approved by TfNSW. Road Infrastructure Upgrades – Monetary Contributions by Applicant	Construction Transport Access Management Plan (CTAMP), Phase B Rev. O, 18/8/2022 by SIMTA Major WAD Construction MPE1 and MPE2, 25/5/2020 (v5)	With respect to road works, TfNSW noted in consultation for Compliance with conditions of consent B2-B8, B10-12, B13, B14-20, B21-B24 is still relevant for the Phase B construction work and TfNSW will require these documents for review and approval as part of the WAD for the temporary diversion road and Moorebank Avenue Road upgrades. The executed WAD dated 25/5/2020 demonstrates that this has been fulfilled.	C
B20A	The Applicant must: (a) provide a contribution in the form of a monetary contribution and / or land dedication to the minimum value of \$20 million. The monetary contribution component must be provided by 31 December 2023 and dedication of land must be provided by the time to be set out in the Transport Infrastructure Contribution Deed to enable TfNSW to deliver the proposed M5 Motorway Westbound Traffic Upgrade, in lieu of the Applicant undertaking an upgrade of the Moorebank Avenue / M5 Motorway intersection, to mitigate the traffic impacts of the development; and (b) enter into a Transport Infrastructure Contribution Deed with TfNSW and any other relevant party, on terms acceptable to TfNSW including in relation to security requirements, giving effect to this Condition B20A, by 1 November 2023, unless otherwise agreed by the Secretary of Transport for NSW in writing.	Interview with auditees 2/12/2024 Remittance Advice, 03/11/2023, Invoice #900192007 Instrument Setting out Terms of Easements or Profits	Currently this is under negotiation with TfNSW. The Auditor sighted payment remittance advice.	NT

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	The Applicant is to pay TfNSW's costs associated with entry into the Transport Infrastructure Contribution Deed and any legal fees associated with the administration of the Transport Infrastructure Contribution Deed.			
B20B	<p>The Applicant must:</p> <p>(a) provide a monetary contribution in the amount of \$10,261,652 by 31 December 2023 for TfNSW to deliver the proposed M5 Motorway Westbound Traffic Upgrade, in lieu of the Applicant undertaking road upgrade works at the Newbridge Road / Moorebank Avenue intersection and Moorebank Avenue / Heathcote Road intersection, to mitigate the traffic impacts of the development; and</p> <p>(b) enter into a Transport Infrastructure Contribution Deed with TfNSW and any other relevant party, on terms acceptable to Transport including in relation to security requirements, giving effect to this Condition B20B, by 1 November 2023, unless otherwise agreed by the Secretary of Transport for NSW in writing.</p> <p>The Applicant is to pay TfNSW's costs associated with entry into the Transport Infrastructure Contribution Deed and any legal fees associated with the administration of the Transport Infrastructure Contribution Deed.</p>	<p>Interview with auditees 2/12/2024</p> <p>Transport Infrastructure Contribution Deed, 21/11/2023 (signed, sealed and delivered by TfNSW)</p> <p>Remittance Advice from TfNSW, 20/11/2023</p>	<p>Monetary Contribution was made to TfNSW on the 20/11/2023, sighted Remittance Advice TfNSW to satisfy Part (a) of condition B20B.</p> <p>Transport Infrastructure Contribution Deed was presented, and section 5.0 includes the security requirements and section 5.1 provision of bank guarantee.</p> <p>The Instrument setting out Terms of Easements or Profits a Prendre intended to be created or resealed and restrictions on the use of land or positive covenants intended to be created pursuant to section 88A, 88B, 88BA and 88E <i>Conveyancing Act 1919</i> was sighted for Plan of subdivision of Lots 1 and 2 in DP1197707 and Lot 100 in DP 1049508. Signed on the 22/12/2023</p>	C
Moorebank Avenue public road dedication				
B21	The Applicant is to procure the dedication as public road under the Roads Act 1993 of part of the existing Moorebank Avenue (i.e. part of Lot 2 DP 1197707) and any associated land required for the road widening or upgrades between the southern boundary of the Defence Joint Logistics Unit site (Lot 3 DP 1197707) and Anzac Avenue.	<p>Construction Transport Access Management Plan (CTAMP), Phase B Rev. O, 18/8/2022 by SIMTA</p> <p>Letter TfNSW-SIMTA, re. temporary deferral of public road dedication requirements, 10/7/2020</p>	<p>The auditee indicated that it has not been dedicated yet and works are underway.</p> <p>Letter from TfNSW to SIMTA dated 10/7/2020 was presented indicating the temporary deferral of public road dedication requirements. Qube proposed to procure the dedication of this land upon its completion of the Moorebank Avenue Upgrade works.</p>	NT
B22	The Applicant is to procure the dedication as "temporary public road" under the Roads Act 1993 of the balance of the existing Moorebank Avenue (and any associated land required for the road widening or upgrades) that is owned by the Commonwealth and is not required to be dedicated under condition B21.	<p>Letter TfNSW-SIMTA, re. temporary deferral of public road dedication requirements, 10/7/2020</p> <p>MAAI Dedication Section 88B Instrument signed on the 22/12/2023</p>	<p>Letter from TfNSW to SIMTA dated 10/7/2020 was presented indicating the temporary deferral of public road dedication requirements. Letter also indicates that if the Moorebank Avenue Realignment is approved and delivered in accordance with the Planning Agreement (Registered dealing AP695403), Qube does not propose to use any part of the southern portion of existing Moorebank Avenue to which condition B22 applies as public road for the purpose of the Moorebank Intermodal Terminal.</p> <p>Instrument setting out terms of easements or profits a prendre intended to be created or resealed and restrictions on the use of land or positive covenants intended to be created pursuant to section 88A, 88B, 88BA and 88E <i>Conveyancing Act 1919</i> was sighted for Plan of subdivision of Lots 1 and 2 in DP1197707 and Lot 100 in DP 1049508 was signed on the 22/12/2023</p>	C
B23	The Moorebank Avenue road dedications required by conditions B21 and B22 must occur prior to the first Construction Certificate for any road works on Moorebank Avenue, unless otherwise agreed by the Secretary of Transport for NSW.	<p>Major WAD Construction MPE1 and MPE2, 25/5/2020 (v5)</p> <p>Letter TfNSW-SIMTA, re. temporary deferral of public road dedication requirements, 10/7/2020</p>	<p>The executed TfNSW WAD dated 25/5/2020 for the temporary diversion road and Moorebank Avenue Road upgrades was sighted.</p> <p>Letter from TfNSW to SIMTA dated 10/7/2020 was presented indicating the temporary deferral of public road dedication requirements. TfNSW entered into an instrument under section 88B of the <i>Conveyancing Act 1919</i> (NSW) (Temporary Easement).</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		MAAI Dedication Section 88B Instrument signed on the 22/12/2023		
B24	The Applicant must pay all costs incurred by Council and/or TfNSW in relation to conditions B21 and B22.	Interview with auditees 2/12/2024 Letter TfNSW-SIMTA, re. temporary deferral of public road dedication requirements, 10/7/2020	The auditee indicated that ESR has advised with regards to Council and TfNSW that there are no outstanding moneys due/payable that either party has brought to the Development's attention.	C
Operating traffic				
B25	<p>The Applicant must ensure:</p> <ul style="list-style-type: none"> 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 version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004) and AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002); b) the final configuration of the internal road network is established and available for use prior to occupation of the freight village or any warehousing; c) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant Austroads guidelines; d) the development does not result in any vehicles queuing on the public road network; e) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site; f) all vehicles are wholly contained on site before being required to stop; g) all loading and unloading of materials is carried out on-site; h) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto any public road; and i) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times. 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
B26	<p>The Applicant must prepare an Operational Traffic and Access Management Plan to the satisfaction of the Secretary. The Plan is to be developed in consultation with the relevant Council, TfNSW and RMS. The plan must be approved by the Secretary prior to the commencement of operation.</p> <p>The Plan must be prepared by a suitably qualified and experienced person(s), and must:</p> <ul style="list-style-type: none"> a) demonstrate how the development will be managed during operation to meet the requirements of this development consent; b) detail numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation; c) detail access arrangements for the site to ensure road and site safety, and demonstrate there will be no queuing on the road network; d) detail measures to ensure turning areas and internal access roads are kept clear of any obstacles, including parked cars, at all times; e) set out procedures for collecting the information required to prepare the Biannual Trip Origin and Destination Report required under condition B28; f) incorporate the Workplace Travel Plan as required under condition B29; g) include a driver's code of conduct that requires: <ul style="list-style-type: none"> i. compliance with specified travelling speeds; ii. drivers to adhere to specified transport routes including no access from Cambridge 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>Avenue; and</p> <p>iii. drivers to implement safe driving practices.</p> <p>h) include a program to monitor the effectiveness of these measures.</p>			
B27	The Operational Traffic and Access Management Plan required by condition B26 must be implemented by the Applicant for the duration of operations.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
B28	<p>The Applicant is to prepare a Biannual Trip Origin and Destination Report each six months following commencement of any operation (in a format agreed with TfNSW and TfNSW) that advises:</p> <ol style="list-style-type: none"> the number of actual and standard twenty-foot equivalent shipping containers despatched and received during the period; the number of days in the period that the truck gate was open for despatching trucks 24 hours a day, 7 days a week and detail any exceptions to this and advise actual hours of operation; records of vehicle numbers accessing the site; and representative vehicle origins and destinations, based on a cordon in the surrounding network. <p>A framework for recording and reporting on the data required for the report, prepared to the satisfaction of TfNSW and TfNSW, is to be submitted to the Secretary three months prior to the commencement of operation.</p> <p>The report is to be submitted within one month of its preparation throughout operation of the project, starting six months from the commencement of operation, unless otherwise agreed by the Secretary, TfNSW and RMS.</p> <p>The cordon count at (d) above will:</p> <ul style="list-style-type: none"> apply to all classes of vehicles; and cover the intermodal terminal, the warehousing facility and any other uses such as the freight village. 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
Workplace travel plan				
B29	<p>Prior to the issue of any Occupation Certificate, the Applicant must prepare a Workplace Travel Plan to the satisfaction of the Secretary.</p> <p>The Workplace Travel Plan must form part of the Operational Traffic and Access Management Plan required by condition C3, and must:</p> <ol style="list-style-type: none"> be prepared in consultation with TfNSW; outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; describe pedestrian and bicycle connections and linkages to and from the site from Moorebank Avenue and within the site including between warehouses and the freight village; describe end of trip facilities available on-site which must include under cover bike storage, showers and change facilities - the layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities; and include the results of negotiations with the relevant agencies/ authorities as required to facilitate the staged delivery of the public transport infrastructure including: 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> i. construction of a covered bus drop off/ pick up facility within the site to encourage the use of buses for employees; ii. review and rationalisation of the locations of Route 901 bus stops in the vicinity of the site to match the proposed northern terminal entry location and enhance accessibility; iii. peak period and SIMTA shift work responsive express buses to /from the site and Liverpool Station via Moorebank Avenue and Newbridge Roads with frequency dependent on the development of the site; iv. peak period express buses to/ from the site and Holsworthy rail station via Anzac Road, Wattle Grove Drive and Heathcote Road with frequency dependent on the development of the site; v. potential to extend the Route 901 bus through the site via the light vehicle road and increasing peak period bus service frequencies to better match the needs of existing and future employees of the locality with frequency dependent on the extent of development of the site; and vi. changes to existing bus stop locations and the identification of new bus stop locations if required; and f) include provision of annual reporting of employee numbers to DP&E, Transport for NSW and TNSW for a period commencing one year from commencement of operation up to and including 5 years from occupation of final building. 			
B30	The Applicant must ensure that the Workplace Travel Plan is implemented for the life of the development.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
Concrete batching plant				
B31	<p>The applicant must prepare a Concrete Batching Plant Management Plan to the satisfaction of the Secretary. The plan must be approved by the Secretary prior to the establishment of Concrete Batching Plant and form part of the CEMP required by condition C1.</p> <p>The Plan must be prepared by a suitably qualified and experienced person(s) and detail the establishment and operation of the Plant including:</p> <ul style="list-style-type: none"> a) demonstrate how the development will be managed during construction to meet the requirements of this development consent; b) a description of the works proposed to be undertaken; c) a description of the plant, equipment and materials to be used and/or stored on each site, including dangerous and hazardous goods; d) a summary of the potential environmental impacts associated with the establishment and operation of the facility; e) details of the mitigation, monitoring and management procedures specific to the plant that would be implemented to minimise environmental and amenity impacts during both site establishment and operation; f) include a program to monitor the effectiveness of these measures; g) details of how waste is to be managed in association with the operation of the Plant; h) detail any licenses required to discharge waste from the plant; and i) mechanisms for the monitoring, review and amendment of the Ancillary Facilities Management Plan. 	<p>Interview with auditees 02/12/2024</p> <p>Site inspection 4/12/2024</p>	No batching plant was required and therefore none was established.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
SOILS WATER QUALITY AND HYRDOLOGY				
Geotechnical				
B32	A Site-Specific Earthworks Specification must be prepared by a suitably qualified and experienced person(s) in accordance with the Geotechnical Interpretive Report prepared by Golder Associates, dated 11 November 2016.	Roads and Maritime Services (RMS) RMS Specification D&C R44 Earthworks Rev.5 by Northrop	A specification was prepared for BMD for the MAUW. Roads and Maritime Services (RMS) RMS Specification D&C R44 Earthworks was developed for use with Design & Construct roadworks and bridgeworks contracts let by Roads and Maritime Services.	C
B33	Prior to construction of permanent built works, a geotechnical engineer must prepare a works-as-executed report detailing encountered geotechnical conditions and how residual geotechnical constraints can be accommodated within the structural designs for the development. The structural design must be confirmed or amended by the structural engineer based on the works-as-executed geotechnical report.	Occupation Certificate No. 211790/12 (Warehouse 6, excluding 1 st floor), McKenzie Group, 31/01/2018 Occupation Certificate No. 211790/14 (Warehouse 6, including 1 st floor offices), McKenzie Group, 31/01/2018 Occupation Certificate No. 211790/08 (Warehouse 7 and Main office Stage 1 only), McKenzie Group, 31/01/2018 Occupation Certificate No. 211790/09 (Racking Warehouse 7), McKenzie Group, 31/01/2018 Occupation Certificate No. 211790/010 (For complete Warehouse 7 excluding mezzanine floor), McKenzie Group, 31/01/2018 Occupation Certificate No. 211790/11 (Mezzanine floor in Warehouse 7 only), McKenzie Group, 31/01/2018 Occupation Certificate No. 211790/13 (The remainder of racking storage in Warehouse 7), McKenzie Group, 31/01/2018 Occupation Certificate No. 211790/15 (Warehouse 5 and 7b), McKenzie Group, 31/01/2018	Works as executed reports were prepared for warehouses 1, Target (and surrounds), warehouse 3, 4, 5. These were then verified by the Certifier through issue of Construction Certificates and Occupational Certificates. Occupational Certificates were received and sighted for WH6 and WH7. Works are still underway for WH2. Note: WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition.	NT
B34	Prior to early works, fill importation or any other surface disturbance, the Applicant must prepare a Soil and Water Management Plan (SWMP) to the satisfaction of the Secretary. The plan must form part of the CEMP required by condition C1 and must include: a) measures to verify the properties of fill imported to the site (see condition (b)); b) plans showing limits of clearing, filling and other earthworks and vegetation to be retained and protected; c) plans showing temporary access points and haul roads within the site for fill stockpiling and placement;	Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #02 January – December 2019, SIMTA, 29/07/20 Construction Soil and Water Management Plan Rev 20, 25/9/2023 by SIMTA	During previous audits Construction Soil and Water Management Plan were sighted to address the requirements of this condition. This plan was initially approved by DPHI on 08/06/18. The most recent update Rev. 20 dated 25/9/2023 was approved by the Department in 16/10/2023. With regards to the previous non-compliance all east-west channel works and other associated works have been completed, therefore this issue was closed.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> d) plans showing the location of stockpiled fill and other materials and storage areas (see condition (c)); e) an Erosion and Sediment Control Plan (see condition B40); f) measures to minimise dust, erosion and prevent migration of soil off site and migration into constructed and natural drainage lines (see condition B39); g) details on design and maintenance of temporary stormwater drainage infrastructure including sediment basins and temporary diversion channels around temporary work obstructions to allow low and normal flows to safely bypass the work areas and to separate clean and dirty water flows (see condition B39); h) details of existing stormwater infrastructure to be retained, including upgrades to meet design criteria, and design and maintenance of proposed new infrastructure (see condition B40); i) evidence that legal agreement has been obtained: <ul style="list-style-type: none"> i. to discharge stormwater through adjacent sites; ii. for any necessary upgrade works to be constructed; iii. for undertaking maintenance activities; iv. use of OSD basins on other sites, such as the MPW site, for this development; and v. evidence that an easement has been obtained or is currently in place to discharge and detain water through adjacent sites; j) evidence that a drainage easement is in place to discharge stormwater through the MPW site, and to provide OSD basins within the MPW site, for this development, and that drainage infrastructure within the MPW site to the Georges River has been repaired or upgraded to the satisfaction of the Secretary prior to completion of construction of the temporary MPE Stage 2 sediment basins. k) confirmation that the stormwater drainage systems in adjacent sites are designed, or can be upgraded to accept flows from the MPE site, including provision of scour protection at discharge points; l) demonstrate no impact on Anzac Creek flood levels or flood extents due to filling of the MPE site; m) demonstrate no change to stormwater flows directly entering proposed biodiversity offset areas; n) demonstrate no deterioration in the quality of stormwater discharged from the site into proposed biodiversity offset areas; and o) demonstrate that stormwater leaving the site meets the design water flow and water quality criteria (see condition B44 water quality monitoring). 	<p>Letter from DPHI-Aspect, 16/10/23 re. approve of CSWMP (Rev.20, 25/09/2023)</p> <p>Stormwater Management Plan MPE Stage 2 Balance of Site Rev. A, 12/10/2018 by Costin Roe Consulting</p>	<p>Stormwater Management Plan MPE Stage 2 Balance of Site Rev A dated 12/10/2018 was prepared by Costin Roe Consulting. Also, Appendix A of CSWMP includes the CESC.</p>	
Spoil Management				
B35	The Applicant must ensure that only VENM or ENM, or other material approved in writing by EPA is brought onto the site.	<p>M6 Stage 1 (Hard Ground) Tunnel Spoil RRO Compliance Report from ADE Consulting Group, 2/3/2022 V1f</p> <p>M6 Stage 1 (Hard Ground) Tunnel Spoil RRO Compliance Report from ADE Consulting Group, 24/10/2022 V1f</p> <p>M6 Stage 1 (Hard Ground) Tunnel Spoil RRO Compliance Report from ADE Consulting Group, 25/10/2022 V1f</p>	<p>According to the material import sheet for 2022 sandstone (tunnel spoil) was the material imported between 12 August 2022 to 7 September 2022. The material was sourced from M6S1 – C1 tunnelling projects. The material is approved for reuse by the EPA through issue of specific Resource Recovery Orders. The auditee provided sample reports to demonstrate that assessments had been carried out on the material to confirm it met the requirements of the exemptions and orders.</p> <p>During 2023 sandstone and black shale material was imported on the 9 June 2023. The material was sourced from Metro WC – Five Dock East, Burwood,</p>	C

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		<p>VENM Classification Report, 5 Uhrig Road, Lidcombe NSW from eiaustralia, 19/01/2022</p> <p>WTP Tunnelling Spoil Assessment – Westmead Station from epic environmental, 1/2/2023</p> <p>MPE 2022 Import Sheet, CARAS</p> <p>MPE 2023 Import Sheet, CARAS</p>	<p>Five Dock West and Olympic Park; M6 Stage 1 – C2 Rockdale, Metro WW – Burwood and Westmead.</p> <p>The Contaminated Sites Auditor reviewed material import classifications and record keeping and determined the evidence to adequately demonstrate import consistent with this condition.</p> <p>Records were sighted from ADE Consulting Group for:</p> <ul style="list-style-type: none"> • M6 Stage 1 (Hard Ground) Tunnel Spoil RRO Compliance Report dated 2/3/2022 from C1 Tunnel Stockpiled Materials M6 Stage 1, Arncliffe, NSW • M6 Stage 1 (Hard Ground) Tunnel Spoil RRO Compliance Report dated 24/10/2022 from M6 Stage 1, C1, Corner of Flora and March Street, Arncliffe, NSW • M6 Stage 1 (Hard Ground) Tunnel Spoil RRO Compliance Report dated 25/10/2022 from C2 Tunnel Stockpiled Materials, M6 Stage 1, C2 RMS Depot, 400 West Botany St Rockdale, NSW <p>Also, VENM Classification Report was presented from 5 Uhrig Road, Lidcombe NSW by eiaustralia dated 19/01/2022 and WTP Tunnelling Spoil Assessment – Westmead Station from epic environmental, 1/2/2023.</p>	
B36	<p>Prior to the commencement of importation of spoil, the Applicant must prepare a Spoil Management Plan to the satisfaction of the Secretary. The Spoil Management Plan must incorporate detailed information on the handling and transport of spoil, including stock pile management. The Spoil Management Plan must be approved by a NSW EPA Accredited Site Auditor prior to submission to the Secretary, to ensure that imported material will be assessed including with regard to the waste classification and site suitability. The Spoil Management Plan is to be prepared separate to, but consistent with the CEMP required by conditions C1 and must:</p> <ol style="list-style-type: none"> be prepared by a suitably qualified and experienced person(s); include: <ol style="list-style-type: none"> a protocol for recording the volume, type and source of fill imported to site and vehicle registrations on a daily basis; quality assurance and quality control measures to ensure compliance with condition B35; a protocol for dealing with unexpected finds including material contamination; and independent auditing by a suitably qualified and experienced specialist; and be consistent with Volume 1 of Managing Urban Stormwater: Soils and Construction ('the Blue Book') (Landcom 2004) and include: <ol style="list-style-type: none"> Details on and the location of fill sorting, crushing and stockpiling; Plans and details on the progressive formation of stockpiles, placement and stabilisation of placed fill; Stockpiles not to exceed 10m in height with stockpiles over 4m in height to be benched, with maximum of 1V:3H slopes; 	<p>Construction Spoil Management Plan Rev14, 19/3/2021 by SIMTA</p> <p>Letter from DPPI-Aspect, 10/5/21 re. approval of CEMP (Rev. 16, 21/04/2021) and CSMP Rev.14, 19/3/2021</p> <p>Construction Spoil Management Plan Rev15, 3/12/2024 by LOGOS</p> <p>Letter from Aspect-DPPI, 11/2/24 re. submission of CEMP (Rev. 19, 3/12/2024) and CSMP Rev.15, 3/12/2024</p>	<p>The Spoil Management Plan was initially approved in 2018 and updated in 2021 with approval from DPPI received on the 19/3/2021.</p> <p>Note: Prior finalisation of this audit report the Construction Spoil Management Plan (CSMP) was revised on the 3/12/2024 (Rev.15) and submitted to the DPPI on the 11/12/2024. Approval was received 17/1/2025.</p>	C

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	<ul style="list-style-type: none"> iv. Monitoring of stockpile moisture content and stockpile watering; v. Stabilisation of stockpiles if not worked on for more than 10 days; and vi. Stabilisation of placed fill if construction does not commence within 10 days. 			
B37	The handling of spoil during construction of the development is to be conducted in accordance with the Spoil Management Plan.	<p>Construction Spoil Management Plan Rev14, 19/3/2021 by SIMTA</p> <p>Letter from DPHI-Aspect, 10/5/21 re. approval of CEMP (Rev. 16, 21/04/2021) and CSMP Rev.14, 19/3/2021</p> <p>M6 Stage 1 (Hard Ground) Tunnel Spoil RRO Compliance Report from ADE Consulting Group, 2/3/2022 V1f</p> <p>M6 Stage 1 (Hard Ground) Tunnel Spoil RRO Compliance Report from ADE Consulting Group, 24/10/2022 V1f</p> <p>M6 Stage 1 (Hard Ground) Tunnel Spoil RRO Compliance Report from ADE Consulting Group, 25/10/2022 V1f</p> <p>VENM Classification Report, 5 Uhrig Road, Lidcombe NSW from eiaustralia, 19/01/2022</p> <p>WTP Tunnelling Spoil Assessment – Westmead Station from epic environmental, 1/2/2023</p> <p>MPE 2022 Import Sheet, CARAS</p> <p>MPE 2023 Import Sheet, CARAS</p> <p>Complaints register current to 1/12/2024 (publicly available, summary issued to DPHI and complaints management system extract)</p> <p>Weekly HSE Inspections from BMD, 25/10/24, 7/11/24, 15/11/24, 14/4/24</p> <p>Pre and post rain inspections 3/4/24, 5/4/24 comment GPTs protected with two p. outlets</p> <p>Dust Deposition Gauge Results, SERS, from Nov to Dec 2022 and Feb to Sep 2024</p>	<p>Spoil imports were directed through the weighbridge at the time, where relevant details were recorded such as date, time, vehicle rego, docket, supplier (carrier), source, project (on the MLP), destination, product, Material, for use as, vehicle combination, gross (t), tare (t), net (t).</p> <p>Most of the material was sourced from M6 and Sydney Metro tunnelling projects. The material is approved for reuse by the EPA through issue of specific resource recovery exemptions and orders. The auditee provided sample reports to demonstrate that assessments had been carried out on the material to confirm it met the requirements of the exemptions and orders.</p> <p>During the audit the MPE 2022 and 2023 Import Sheet from CARAS was presented.</p> <p>During the audit site inspection, it was noted that the stockpiles in Moorebank Avenue are approximately 2m height and therefore do not require to be benched. Batters comply with the 1V:3H slopes requirements. Environmental inspections are carried out by BMD to check that stockpiles are stabilised and maintained.</p> <p>No complaints were received regarding dust during the audit period and dust deposition reports were sighted from November to December 2022 and February to September 2024, covering MAUW. Realtime dust monitoring results from April to September 2024 were sighted and covered the whole development.</p> <p>A Stockpile Register has been maintained by the contractor (BMD) and was sighted during the audit dated 11 November 2024.</p> <p>However, it was noted that the Construction Spoil Management Plan (CSMP) for Moorebank Precinct East Stage 2, has not been updated since the 19 April 2021, current to revision 14. An observation was raised for this against condition B36.</p> <p>Note: Prior finalisation of this audit report the Construction Spoil Management Plan (CSMP) was revised on the 3/12/2024 (Rev.15) and submitted to the DPHI on the 11/12/2024. Approval was received 17/1/2025.</p>	C

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		Realtime dust monitoring results from April to September 2024, SERS Stockpile Trucker, 11/11/2024 (last drone check/entry 21/10/2024), BMD		
B38	Permanent fill batters to adjacent lands to be a maximum of 1V:4H and details to be provided on methods of slope stabilisation.	Site inspection 4/12/2024 Progressive ESCP/Environmental Site Plan, MAUW/MADR, BMD, 15/4/24 – Sheet 27 (page 14 and 15)	Temporary fill batters on the east associated with WH6 and WH7 have the appropriate size. West Diversion Road battering back to the site.	C
Erosion and Sediment Control Plan				
B39	Prior to commencement of early works and fill importation the Erosion and Sediment Control Plan required as part of the Soil and Water Management Plan must: <ul style="list-style-type: none"> a) be prepared by a suitably qualified person; b) be prepared in accordance with Volume 1 of Managing Urban Stormwater: Soils and Construction ('the Blue Book') (Landcom 2004), Managing Urban Stormwater: Soils and Construction – Installation of Services, Volume 2A (OEH 2008) and Managing Urban Stormwater: Soils and Construction – Main Road Construction, Volume 2D (OEH 2008). The plan must consider likely stages of the works and provide for appropriate control of sediment and erosion for each stage. The plan must show: <ul style="list-style-type: none"> i. location and extent of all necessary sediment and erosion control measures for the site; ii. catchment plan; iii. sediment basin(s) locations including details showing how runoff from the entire site will be directed to the sediment basin(s); iv. all relevant details and calculations of the sediment basins including sizes, depths, flocculation, outlet design, all relevant sections, pump out systems, and depths; v. all details of basement and other excavation pump out and dewatering treatment systems including flocculation and any proposed discharge from the site from dewatering and pump out systems; vi. identification and management of any stormwater run-on to the site from adjacent sites; vii. location of any temporary stockpiles (soil, spoil, top soil or otherwise) and accompanying sediment and erosion control measures; viii. location and details of all vehicle wash down bays and associated erosion and sediment control measures such as earthen bunds; and ix. a daily and weekly site inspection checklist consistent with International Erosion Control Association Best Practice Erosion and Sediment Control documents. c) be implemented prior to commencement of early works, fill importation and construction (and any substages of these phases) and be updated as relevant to changing early works; fill importation, stockpiling and placement, and construction activities. 	Construction Soil and Water Management Plan Rev 20, 25/9/2023 by SIMTA Construction Erosion and Sediment Control Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/21 Rev.8 (Primary ESCP) – Appendix A of above. Progressive ESCP/Environmental Site Plan, MAUW/MADR, BMD, 15/4/24 – Sheet 27 (page 14 and 15) Interview with auditees 02/12/2024	The Primary ESCP is within the CSWMP. The Primary ESCP addresses the requirements from a) – b) of this condition. Progressive ESCPs are prepared by the relevant contractor as required and in accordance with part c) of this condition. These are approved by the ER. During the audit the Progressive ESCP from BDM dated 15/4/24 was sighted and it appears to be consistent with the blue book and the Primary ESCP. Erosion and sediment controls on site included geotextile fabric, sandbags and coir logs around the basins, batters and OSD 10, rumble grid at the site access, and others seemed to be consistent with the Progressive ESCP. Appendix A - Construction Soil and Water Management Plan Rev 20, 25/9/2023 by SIMTA.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Stormwater Management Plan				
B40	<p>Prior to commencement of early works and fill importation, an amended Stormwater Management Plan must be submitted and approved by the Secretary. The plans must be prepared by a suitably qualified person, and independently reviewed, to ensure it meets the following criteria for:</p> <p>a) Drainage:</p> <ol style="list-style-type: none"> convey flows from low order events (up to and including the 10% AEP event from the main part of the site within the formal drainage system, with flows from rarer events (up to the 1% AEP event) conveyed in controlled overland flow paths; show the location and width of controlled overland flow paths; and provide levels to AHD confirming building floor levels are a minimum of 150 mm above the maximum design flow path levels. <p>b) Water Sensitive Urban Design:</p> <ol style="list-style-type: none"> incorporate water sensitive urban design principles, be generally in accordance with relevant Council policies, plans and specifications ensure that adequate overland flow paths have been provided in the event of stormwater system blockages and flows in excess of the 1% ARI rainfall event; ensure on site detention basins are visually unobtrusive and ensure public safety; ensure rainwater harvesting is provided for each warehouse; ensure adequate site area has been provided for stormwater treatment; ensure design of stormwater treatment systems minimises the risk of failure; and develop concept options for how 20% of the average annual volume of stormwater from the site can be reused via rainwater capture and reuse for activities including but not limited to: <ul style="list-style-type: none"> irrigation, all internal non-potable uses, washdown, cooling towers, heating, ventilation, and air conditioning, and ground source heat exchange. <p>The Applicant is to brief the Department on how these initiatives will be implemented prior to the completion of the Stormwater Management Plan.</p> <p>c) Water quantity:</p> <ol style="list-style-type: none"> on site detention is to be provided to attenuate peak flows from the development such that both the: <ul style="list-style-type: none"> 1 in 1-year ARI event post development peak discharge rate is equivalent to the pre-development (un-developed catchment) 1 in 1-year ARI event 1 in 100-year ARI event post development peak discharge rate is equivalent to the pre- development (un-developed catchment) 1 in 100- 	<p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #02 January – December 2019, SIMTA, 29/07/20</p> <p>Stormwater Management Plan MPE Stage 2 Balance of Site Rev A 12/10/2018 by Costin Roe Consulting</p> <p>Letter from DPHI with approval of the SMP, 18/03/2020</p> <p>Email from Tactical to DPHI, 27/7/2020 re. submission of SMP</p> <p>Interim and Ultimate OSD9 & OSD10 Stormwater Management Plan, 18/02/2021 Rev. E from Costin Roe Consulting</p> <p>Letter DPHI to Qube, 19/03/21 re. DPHI approval of updated OSD 9 and OSD 10 Stormwater Management Plan</p> <p>https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=21054&id=21054&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued</p>	<p>Stormwater Management Plan was prepared to address the requirements of this condition and approved by DPHI on 02/07/2018. The Stormwater Management Plan was staged, and plans were prepared and updated for Warehouses and the relevant OSDs. The Department approved these staged and updates in March 2020.</p> <p>EPL21054 condition L1.1 requires compliance with section 120 of the POEO Act. EPL Annual Returns are submitted to the EPA each year. No non-compliances have been identified in the Annual Returns during the audit period.</p> <p>Regarding the actions for previous non-compliance, the Stormwater Management Plan (SMP) MPE Stage 2 Balance of Site Rev. A dated 12/10/2018 was prepared by Costin Roe Consulting. Approval of the SMP was received from the DPHI on the 19/03/2020. Letter of approval from DPHI indicates that the SMP was reviewed by the independent reviewer, as required under condition B40, has addressed the conditional approval requirements outlined in the Planning Secretary nominee's letter dated 14/09/2020 and contains the information required under the conditions of consent. Additionally, an email was sighted dated 27/7/2020 with submission of the SMP from Tactical to DPHI.</p> <p>During the audit site inspection detention basins were sighted and maintained as per the requirements of this condition. Refer to photos in Appendix D.</p> <p>The Interim and Ultimate OSD9 & OSD10 Stormwater Management Plan, was prepared on the 18/02/2021 Rev. E and the DPHI provided the approval of updated OSD 9 and OSD 10 Stormwater Management Plan on the 19/03/21.</p> <p>Observation: No evidence was sighted to verify that a statement from the independent reviewer confirming their independence and declaring any actual, potential or perceived conflicts of interest was provided as part of the reporting of the findings and recommendations of the review.</p>	C

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	<p>year ARI event;</p> <ul style="list-style-type: none"> ii. no new drainage infrastructure work within the Defence Joint Logistics Unit (DJLU) site; iii. all on site detention basins to have maximum batter slopes of 1V:4H or, for works immediately adjacent to the Moorebank Avenue upgrade, an alternate slope gradient agreed to by TfNSW; iv. siting and design of on-site detention basins to eliminate/ minimise excavation within the southern ordinance burial pits; and v. maintenance access to be provided to each on site detention basin. <p>d) Connection to natural creeklines:</p> <ul style="list-style-type: none"> i. on site detention basin outlets to natural drainage lines must be constructed of natural materials to facilitate natural geomorphic processes and to include vegetation as necessary (gabion baskets and gabion mattresses are not acceptable). <p>e) Stormwater Quality</p> <ul style="list-style-type: none"> ii. have a stormwater quality treatment train comprised of gross pollutant traps and biofiltration/ bioretention systems designed to meet the following criteria compared to a base case if there were no treatment systems in place: <ul style="list-style-type: none"> • reduce the average annual load of total nitrogen by 45%; • reduce the average annual load of total phosphorus by 65%; and • reduce the average annual load of total suspended solids by 85%. iii. all stormwater quality elements are to be modelled in MUSIC as per the NSW MUSIC Modelling Guide. iv. all stormwater quality elements are to be installed upstream of stormwater detention basins, unless it can be demonstrated that biofiltration/ bioretention systems within the OSD basins will not suffer damage from design flows and can be maintained to achieve the water quality criteria. v. the area of biofiltration / bioretention systems is to be at least 1% of the catchment draining to the system, to ensure there is no short-circuiting of the system. vi. bioretention systems which are greater than 1,000m² in area, are to be divided into cells with no individual cell greater than 1,000m². vii. all filter media used in stormwater treatment measures must: <ul style="list-style-type: none"> • be loamy sand with an appropriately high permeability under compaction and must be free of rubbish, deleterious material, toxicants, declared plants and local weeds, and must not be hydrophobic; • have an hydraulic conductivity = 100-300 mm/hr, as measured using the ASTM F1815-06 method • have an organic matter content less than 5% (w/w) • be provided adequate solar access, considering the design and orientation of OSD basins. 			

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	<p>A copy of the independent review must be submitted with the Plan. A statement from the reviewer confirming their independence and declaring any actual, potential or perceived conflicts of interest must be provided as part of the reporting of the findings and recommendations of the review.</p> <p><i>Note: The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters.</i></p>			
B40A	<p>OSD 9 as described in the modification application SSD-7628-Mod-2 must comply with the conditions of this consent, including Condition B40, except for Condition B40(c)(iii).</p>	<p>Site inspection 4/12/2024</p> <p>Interim and Ultimate OSD9 & OSD10 Stormwater Management Plan, 18/02/2021 Rev. E from Costin Roe Consulting</p> <p>Letter DPHI to Qube, 19/03/21 (DPHI approval of updated OSD 9 and OSD 10 Stormwater Management Plan)</p>	<p>The Stormwater Management Plan for Interim and Updated OSD 9 and OSD 10 details the specifications of OSD 9. OSD 9 is a concrete channel with vertical walls and no roof. This arrangement was sighted during the site inspection. Verification of the specifications and performance of the as-built structure are the responsibility of the designer, contractor, Engineer and Certifier. Refer B47.</p> <p>No works were undertaken under this requirement during the audit period. OSD 10 has been constructed in accordance with the conditions, expected for B40 (c). OSD 9 will flow into OSD 10.</p>	C
B41	<p>Notwithstanding condition B40, the Stormwater Management Plan does not require the Secretary to approve drainage works that would be designed, approved by RMS, and delivered, in accordance with condition B13. However, the Stormwater Management Plan must:</p> <ol style="list-style-type: none"> include confirmation that any such works are proposed to be designed and delivered in accordance with condition B13; and incorporate, and be designed in consideration of, preliminary principles for that road drainage. 	<p>Interim and Ultimate OSD9 & OSD10 Stormwater Management Plan, 18/02/2021 Rev. E from Costin Roe Consulting</p> <p>Letter DPHI to Qube, 19/03/21 (DPHI approval of updated OSD 9 and OSD 10 Stormwater Management Plan)</p>	<p>A Stormwater Management Plan has been prepared to address the requirements of this condition. This was approved by DPHI on 02/07/18. The amended plan was prepared in consultation with TfNSW and approved by the Department in March 2021.</p>	C
B42	<p>The amended numerical models are to be submitted to the Secretary with the Stormwater Management Plan.</p>	<p>Interim and Ultimate OSD9 & OSD10 Stormwater Management Plan, 18/02/2021 Rev. E from Costin Roe Consulting</p> <p>Letter DPHI to Qube, 19/03/21 (DPHI approval of updated OSD 9 and OSD 10 Stormwater Management Plan)</p>	<p>A Stormwater Management Plan has been prepared to address the requirements of this condition. This was approved by DPHI on 02/07/18. The amended plan was prepared in consultation with TfNSW and approved by the Department in March 2021.</p>	C
Water quality monitoring plan				
B43	<p>A Stormwater Monitoring Program must be prepared in consultation with Council and OEH prior to operation and must be implemented for 5 years following completion of construction to monitor performance of the stormwater treatment system. The Stormwater Monitoring Program must form part of the Biodiversity Monitoring Strategy required by condition B106, prepared with reference to Using the ANZECC Guidelines and Water Quality Objectives in NSW (DEC, 2006).</p>	-	<p>This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	NT
B44	<p>The Stormwater Monitoring Program must:</p> <ol style="list-style-type: none"> assess water quality and quantity performance for construction discharges and ongoing stormwater discharges from the development to ensure protection of the desired ecological values of Anzac Creek; and include sampling locations and the frequency of sampling including wet weather sampling. 	-	<p>This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	NT

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Stormwater infrastructure operation and maintenance plan				
B45	Conversion of any construction stage sediment and erosion control measures into permanent stormwater quality treatment elements must only occur once the civil works (roads and drainage) have been completed for the site to ensure the treatment measure is not compromised by sediment runoff.	<p>Construction Soil and Water Management Plan Rev 20, 25/9/2023 by SIMTA</p> <p>Appendix A of above - Construction Erosion and Sediment Control Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/21 (Primary ESCP)</p> <p>Progressive ESCP/Environmental Site Plan, MAUW/MADR, BMD, 15/4/24 – Sheet 27 (page 14 and 15)</p> <p>Interim and Ultimate OSD9 & OSD10 Stormwater Management Plan, 18/02/2021 Rev. E from Costin Roe Consulting</p> <p>Letter DPHI to Qube, 19/03/21 (DPHI approval of updated OSD 9 and OSD 10 Stormwater Management Plan)</p> <p>https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=21054&id=21054&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued</p>	<p>Civil works (roads and drainage) are ongoing, and the construction phase controls continue to be implemented on site. Water is sent through temporary controls and discharged via an EPL discharge point. Refer to conditions B39 and B40.</p> <p>Areas still managed in accordance with the CSWMP. Still under construction and going to sediment basins.</p>	NT
B46	All permanent stormwater infrastructure must be constructed in accordance with the Stormwater Management Plan approved by the Secretary and properly maintained on an ongoing basis.	<p>Site inspection 4/12/2024</p> <p>Interim and Ultimate OSD9 & OSD10 Stormwater Management Plan, 18/02/2021 Rev. E from Costin Roe Consulting</p> <p>Letter DPHI to Qube, 19/03/21 (DPHI approval of updated OSD 9 and OSD 10 Stormwater Management Plan)</p> <p>Stormwater Infrastructure Operation and Maintenance Plan Rev 8, SIMTA, 23/01/23 (the SIOMP)</p> <p>Post Approval Submission (DPHI portal) undated re: submission of SIOMP Rev 8 to DPHI</p> <p>Moorebank Precinct East – Stage 2 WSUD Independent Audit, October 2022 from Sustainability Workshop.</p>	<p>The Stormwater Management Plan for Interim and Updated OSD 9 and OSD 10 details the specifications of OSD 9. OSD 9 is a concrete channel with vertical walls and no roof. This arrangement was sighted during the site inspection. Verification of the specifications and performance of the as-built structure are the responsibility of the designer, contractor, Engineer and Certifier.</p> <p>Maintenance of operational stormwater was assessed separate to this construction phase Independent Audit. The Stormwater Infrastructure Operation and Maintenance Plan covers this requirement. The Plan was initially approved by the Department on 09/09/19, updated 23/01/2023 Rev.8.</p> <p>Previous Non-compliance was reported and closed by the Applicant with the approval of MOD 2 to capture the design changes and was reported in the Annual Review. Updated plans were prepared and approved by the Department.</p> <p>According to the Annual Review Report, stormwater audits have been conducted in accordance with Condition B51. Annual Independent Audits were completed by Mark Liebman, CPEng, MIAust. Mark has over 20 years water quality management experience. He co-authored the design guides, notably the Blacktown City Council Water Sensitive Urban Design Standard</p>	C

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		Moorebank Precinct East – Stage 2 WSUD Independent Audit, September 2023 from Sustainability Workshop	<p>Drawings which were used as reference guides for the design of the MPE Stage 2 site.</p> <p>The audit assessed the items listed and found that the systems are being cleaned and maintained so they remain functional.</p>	
B47	Written signoff from the design engineer(s) responsible for the construction drawings is to be provided to the Secretary certifying that the system has been constructed in accordance with the construction drawings or, where modified, this has not adversely affected the performance of the system.	<p>Construction Certificate 19/124946-1 MOD1, McKenzie Group, 05/12/19</p> <p>Interim and Ultimate OSD9 & OSD10 Stormwater Management Plan, 18/02/2021 Rev. E from Costin Roe Consulting</p> <p>Letter DPHI to Qube, 19/03/21 (DPHI approval of updated OSD 9 and OSD 10 Stormwater Management Plan)</p> <p>Stormwater Management Plan, SIMTA, 17/08/20 (capturing Interim and Ultimate OSD 9 and OSD 10)</p> <p>Letter DPHI to Qube, 14/09/20 (DPHI approval of OSD 9 and OSD 10 Stormwater Management Plan)</p> <p>Stormwater Infrastructure Operation and Maintenance Plan Rev 8, SIMTA, 23/01/23 (the SIOMP)</p> <p>Post Approval Submission (DPHI portal) undated re: submission of SIOMP Rev 8 to DPHI</p> <p>Site inspection 4/12/2024</p> <p>DPHI acknowledging email of submission of B47 engineer certificate SIOMP, 13/5/2024</p> <p>Post Approval Form, PA-251, 30/4/2024</p>	<p>Civil drawings including stormwater and drainage for MPE 2 were prepared as part of the construction certificate application (drawings prepared by engineering firm Arcadis). These were verified by the Certifier through issue of the Construction Certificate. Relevant drawings were then included in the Stormwater Management Plan for the site which has been progressively approved by the Department.</p> <p>The initial Stormwater Management Plan was prepared on the 17/08/20 (capturing Interim and Ultimate OSD 9 and OSD 10) and approved by DPHI on the 14/09/20 (DPHI approval of OSD 9 and OSD 10 Stormwater Management Plan). Stormwater Infrastructure Operations Maintenance Plan (SIOMP) Rev 8, SIMTA, 23/01/23 (the SIOMP).</p> <p>OSD 10 and associated stormwater infrastructure construction is not complete. Not triggered for this audit period.</p> <p>Note: WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition.</p>	NT
B48	Left blank			NT
B49	<p>Prior to operation, the Applicant must prepare a Stormwater Infrastructure Operation and Maintenance Plan to manage the operation and maintenance of stormwater infrastructure on-site and off-site, to the satisfaction of the Secretary. The plan must form part of the OEMP required under condition C3 and must be implemented for the life of the assets and include:</p> <ul style="list-style-type: none"> a) the entity responsible for management and maintenance of the assets, including evidence that a maintenance contract is in place with a reputable and experienced maintenance contractor; b) quarterly inspections, and inspections after major rainfall events; 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit. Refer to Independent Audit Report, Moorebank Intermodal Precinct East Operations, Stage 1 Intermodal Facility (SSD-6766) and Stage 2 Warehousing (SDD-7628), WolfPeak, 21/06/21.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> c) schedule for routine checking, cleaning and servicing of all devices/ systems in accordance with the manufacturer's and/or designer's recommendations; d) records of all maintenance activities undertaken; e) quarterly maintenance reports, detailing the results of quarterly inspections, inspections after major rainfall events, and maintenance activities; f) results of water quality monitoring; g) investigation, management and mitigation of water quality target exceedances; h) annual independent auditing; and i) provision for submission of the quarterly maintenance reports and annual independent audit reports to the Secretary, including the results of inspections, management and maintenance actions and water quality monitoring. 			
B50	Assets to be managed under the Stormwater Infrastructure Operation and Maintenance Plan must include the channel through the MPW site to the Georges River unless the maintenance of this infrastructure is included in an operational environmental management plan approved by the Secretary for the MPW site.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit. Refer to Independent Audit Report, Moorebank Intermodal Precinct East Operations, Stage 1 Intermodal Facility (SSD-6766) and Stage 2 Warehousing (SDD-7628), WolfPeak, 21/06/21.	NT
B51	The annual independent audit must be undertaken by a suitably qualified professional with demonstrable experience in WSUD. The audit is to verify the condition of the treatment system(s), verify and document that the system(s) is working as intended, verify the system(s) has been cleaned adequately, verify there is no excessive build-up of material in the system(s) and identify any issues with the treatment system(s) which require rectification for the system(s) to adequately perform its intended function.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit. Refer to Independent Audit Report, Moorebank Intermodal Precinct East Operations, Stage 1 Intermodal Facility (SSD-6766) and Stage 2 Warehousing (SDD-7628), WolfPeak, 21/06/21.	NT
Flood management				
B52	<p>Before the commencement of construction, the Applicant must prepare a Flood Emergency Response Plan to the satisfaction of the Secretary. The Plan must form part of the CEMP and OEMP required by conditions C1 and C3 and must:</p> <ul style="list-style-type: none"> a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Secretary; b) address the provisions of the Floodplain Risk Management Guideline (OEH, 2007) (as may be updated or replaced from time to time); c) include details of: <ul style="list-style-type: none"> ◦ the flood emergency responses for both construction and operation phases of the development; ◦ predicted flood levels; ◦ flood warning time and flood notification; ◦ assembly points and evacuation routes; ◦ evacuation and refuge protocols; and ◦ awareness training for employees and contractors. 	<p>Interview with auditees 2/12/2024</p> <p>Construction Flood and Emergency Response Plan Rev 13, 18/8/2022 by SIMTA</p> <p>Letter from DPHI 18/12/2023 re. approval of CFREP, Rev.13</p>	<p>A Construction Flood Emergency Response Plan has been prepared to address the requirements of this condition. The Plan (Rev. 13) was approved by DPHI on 18/12/2023.</p>	C

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B53	<p>The Applicant must:</p> <ul style="list-style-type: none"> a) not commence construction until the Flood Emergency Response Plan required by condition B52 is approved by the Secretary; and b) implement the most recent version of the Flood Emergency Response Plan approved by the Secretary for the duration of the development. 	<p>Interview with auditees 02/12/2024 and site inspection 4/12/2024</p> <p>Construction Flood and Emergency Response Plan Rev.13, 18/8/2022 by SIMTA</p> <p>Letter from DPHI-Aspect, 18/12/23 re. approve revised CEMP (Rev. 18, 25/09/2023) including CFERP Rev.13</p> <p>Progressive ESCP/Environmental Site Plan, MAUW/MADR, BMD, 15/4/24 – Sheet 27 (page 14 and 15)</p> <p>BMD Moorebank Avenue Site Induction, November 2024</p>	<p>A Construction Flood Emergency Response Plan was prepared to address the requirements of this condition and approved by DPHI on 01/06/18. The Plan has been updated (Rev. 13) and approved by DPHI on 18/12/2023.</p> <p>The Applicant confirm that following measures have been implemented:</p> <ul style="list-style-type: none"> - Daily monitoring of weather forecasts, using the Bureau of Meteorology (BoM) - Siting of construction compounds and stockpile areas outside the PMF inundation extent - During periods of heavy rainfall construction can be stopped with staff to be located within flood-free areas of the site, to minimise any potential impacts - BMD Moorebank Avenue site induction includes emergency protocols <p>Flood Response has not required to be enacted. Plan has not been required to be enacted. No significant floods on the site.</p>	C
AIR QUALITY				
Dust minimisation				
B54	<p>Best practice reactive and proactive management measures must be implemented to minimise dust generated during all works authorised by this consent.</p>	<p>Construction Soil and Water Management Plan Rev 20, 25/9/2023 by SIMTA</p> <p>Appendix A of above - Construction Erosion and Sediment Control Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/21 (Primary ESCP)</p> <p>Progressive ESCP/Environmental Site Plan, MAUW/MADR, BMD, 15/4/24 – Sheet 27 (page 14 and 15)</p> <p>Weekly HSE Inspections from BMD, 25/10/24, 7/11/24, 15/11/24, 14/4/24</p> <p>Pre and post rain inspections 3/4/24, 5/4/24 comment GPTs protected with two p. outlets</p> <p>ER Monthly Reports, from Pitt & Sherry:</p> <ul style="list-style-type: none"> - 1-31/1/24, dated 9/2/24 - 1-29/2/24, dated 7/3/24 - 1-31/3/24, dated 11/4/24 - 1-30/4/24, dated 1/5/24 - 1-31/5/24, dated 7/6/24 - 1-30/6/24, dated 10/7/24 	<p>Dust Deposition Gauge Results from SERS were presented. DDG for Moorebank Avenue showed no sensitive receivers, only one DDG had an exceedance, and this was reflected in the compliance report.</p> <p>According to the Annual Review for 2022 (dated 30/08/2023):</p> <ul style="list-style-type: none"> - no monitoring was completed at the closest off-site sensitive receiver; site boundary monitoring was undertaken in the alternative. - No exceedances of the 2g/m²/month increase, and 4g/m²/month maximum criteria were reported in the review period. - Airborne asbestos fibre levels were confirmed to be below 0.01 fibres/mL throughout the review period. - PM_{2.5} and PM₁₀: relevant documentation was not received at the time of preparing the report. <p>According to the Annual Review for 2023 (dated 17/10/2024):</p> <ul style="list-style-type: none"> - no monitoring was completed at the closest off-site sensitive receiver; site boundary monitoring was undertaken in the alternative. - No exceedances of the 2g/m²/month increase, and 4g/m²/month maximum criteria were reported in the review period. 	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<ul style="list-style-type: none"> - 1-31/7/24, dated 6/8/24 - 1-31/8/24, dated 3/9/24 - 1-30/9/24, dated 14/10/24 - 1-31/10/24, dated 13/11/24 Dust Deposition Gauge Results, SERS, from Nov to Dec 2022 and Feb to Sep 2024 (will cover MAUW) Realtime dust monitoring results from April to September 2024, SERS (cover the whole development) Complaints register current to 1/12/2024 (publicly available, summary issued to DPHI and complaints management system extract) Annual Review 2022 Moorebank Precinct East Stage 2, LOGOS, 30/08/2023, Rev.2 Annual Review 2023 Moorebank Precinct East Stage 2, 17/10/2024 Dust Monitoring Summary Report 23/09/24-29/09/24, 30/09/2024 by SERS (with 1 exceedance) Dust Monitoring Summary Report 26/08/24-1/09/24, 3/09/2024 by SERS Dust Monitoring Summary Report 29/07/24-4/08/24, 5/08/2024 by SERS Dust Monitoring Summary Report 24/06/24-30/06/24, 1/07/2024 by SERS (with 7 exceedances) Dust Monitoring Summary Report 27/05/24-2/06/24, 3/06/2024 by SERS (with 5 exceedance) Dust Monitoring Summary Report 29/04/24-5/05/24, 6/05/2024 by SERS	<ul style="list-style-type: none"> - No work triggering the requirement for daily airborne asbestos monitoring has been undertaken during the reporting period. - PM_{2.5}: No exceedances were recorded between November 2022 and October 2023. - PM₁₀: Six exceedances were recorded between November 2022 and October 2023. One of the exceedances recorded in October 2023 coincided with a 'fair' (37.8) reading of PM₁₀ at the Liverpool monitoring station and hazard reduction burns in the wider Sydney area. Four of the exceedances identified during the review period were recorded at Air Quality Monitor 03 (AQM03) which is located on the western extent of the Moorebank Precinct West (MPW) Stage 2 footprint and may consequently be the result of construction activities undertaken on MPW Site. Dust Monitoring Summary Reports from SERS in 2024 showed the following exceedances: <ul style="list-style-type: none"> - 1 exceedance from 23/09/24 to 29/09/24 - 7 exceedances from 24/06/24 to 30/06/24 - 5 exceedances from 27/05/24 to 2/06/24 The 7 exceedances in June for PM _{2.5} (25mg/m ³) dust (34.56, 40.18, 40.84, 29.63, 30.44, 41.99 and 32.98) were recorded from 24/6/24 to 30/6/24 at the monitor in location 2 and the 5 exceedances in May (30.63, 39.33, 42.40, 38.85 and 25.48) were recorded from 27/05/2024 to 31/05/2024. ER inspection reports for 2024 did not identify dust issues. Photos from the inspection reports showed stabilisation of non-trafficable areas with polymer. Areas without active construction were observed by the Auditor to be stabilised with polymer during the audit site inspection on 4/12/24. Refer to photos in Appendix D. No complaints were received regarding dust during the audit period.	
B55	Deposited dust must not exceed an increase of 2g/m ² /month or maximum of 4g/m ² /month at the closest off-site sensitive receiver.	Dust Deposition Gauge Results, SERS, from Nov to Dec 2022 and Feb to Sep 2024 (will cover MAUW) Realtime dust monitoring results from April to September 2024, SERS (cover the whole development)	DGG reports were presented for November and December 2022, February to September 2024. Alos Realtime dust monitoring results were sighted from April to September 2024. According to the Annual Review for 2022 and 2023: <ul style="list-style-type: none"> - no monitoring was completed at the closest off-site sensitive receiver; site boundary monitoring was undertaken in the alternative. 	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Annual Review 2022 Moorebank Precinct East Stage 2, LOGOS, 30/08/2023, Rev.2</p> <p>Annual Review 2023 Moorebank Precinct East Stage 2, 17/10/2024</p>	<p>- No exceedances of the 2g/m²/month increase, and 4g/m²/month maximum criteria were reported in the review period.</p>	
B56	<p>During construction:</p> <ul style="list-style-type: none"> a) fill importation must not exceed 22,000m³ per day; b) exposed areas and stockpiles must be watered regularly to minimise dust emissions; c) water carts must be used to control dust emissions from vehicles travelling on unpaved surfaces, and graders and dozers pushing fill material; d) grader and bulldozer travel routes and the fill material being handled must be suitably moist; e) water must be used as appropriate to maintain moisture in the fill material being bulldozed, such that dust emissions would be halved relative to not applying the water; f) water may be applied prior to fill being delivered to site, provided that the same effect is achieved as in (e) above; g) all trucks entering or leaving the site with loads must have their loads covered; h) trucks associated with the development must not track dirt onto public roads; i) public roads used by trucks associated with the development must be kept clean; and j) land stabilisation works must be carried out progressively on site to minimise exposed surfaces. 	<p>MPE 2022 Impot Register, CARAS</p> <p>MPE 2023 Impot Register, CARAS</p> <p>Construction Soil and Water Management Plan Rev 20, 25/9/2023 by SIMTA</p> <p>Appendix A of above - Construction Erosion and Sediment Control Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/21 (Primary ESCP)</p> <p>Progressive ESCP/Environmental Site Plan, MAUW/MADR, BMD, 15/4/24 – Sheet 27 (page 14 and 15)</p> <p>Complaints register current to 29/10/2024 (publicly available, summary issued to DPHI and complaints management system extract)</p> <p>Weekly HSE Inspections from BMD, 25/10/24, 7/11/24, 15/11/24, 14/4/24</p> <p>Pre and post rain inspections 3/4/24, 5/4/24 comment GPTs protected with two p. outlets</p> <p>ER Monthly Reports, from Pitt & Sherry:</p> <ul style="list-style-type: none"> - 1-31/1/24, dated 9/2/24 - 1-29/2/24, dated 7/3/24 - 1-31/3/24, dated 11/4/24 - 1-30/4/24, dated 1/5/24 - 1-31/5/24, dated 7/6/24 - 1-30/6/24, dated 10/7/24 - 1-31/7/24, dated 6/8/24 - 1-31/8/24, dated 3/9/24 - 1-30/9/24, dated 14/10/24 - 1-31/10/24, dated 13/11/24 <p>Dust Monitoring Summary Report 23/09/24-29/09/24, 30/09/2024 by SERS (with 1 exceedance)</p>	<p>Most of the material was sourced from M6 and Sydney Metro tunnelling projects. The material is approved for reuse by the EPA through issue of specific resource recovery exemptions and orders. The auditee provided sample reports to demonstrate that assessments had been carried out on the material to confirm it met the requirements of the exemptions and orders. Spoil imports were directed through the weighbridge at the time, where relevant details were recorded such as date, time, vehicle rego, docket, supplier (carrier), source, project (on the MLP), destination, product, Material, for use as, vehicle combination, gross (t), tare (t), net (t).</p> <p>The MPE 2022 and 2023 Import Sheet from CARAS was presented. The register indicates that <22,000m³ of spoil was imported on any one day. Also, a Stockpile Register has been maintained by the contractor (BMD) and was sighted during the audit, Register is dated 11/11/2024. The delivery driver induction includes the requirements to cover loads and not track material onto public roads.</p> <p>During the audit site inspection, it was noted that the stockpiles in Moorebank Ave are approximately 2m height and therefore do not require to be benched. Batters comply with the 1V:3H slopes requirements. Environmental inspections are carried out by BMD to check that stockpiles are stabilised and maintained.</p> <p>No complaints were received regarding dust during the audit period and dust deposition reports were sighted from November to December 2022 and February to September 2024, covering MAUW. Realtime dust monitoring results from April to September 2024 were sighted and covered the whole development.</p> <p>However, it was noted that the Construction Spoil Management Plan (CSMP) for Moorebank Precinct East Stage 2, has not been updated since the 19 April 2021, current to revision 14. An observation was raised for this against condition B36.</p> <p>Photos from the audit site inspection show stabilisation of non-trafficable areas with polymer. The site arrangement appears aligned with the ESCP.</p> <p>A Regular Dust Monitoring Summary Report is being prepared for the development by SERS, with some exceedances noted in certain reports, however, the Applicant indicated that not much material has been imported to the site from MPES2.</p>	C

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		Dust Monitoring Summary Report 26/08/24-1/09/24, 3/09/2024 by SERS Dust Monitoring Summary Report 29/07/24-4/08/24, 5/08/2024 by SERS Dust Monitoring Summary Report 24/06/24-30/06/24, 1/07/2024 by SERS (with 7 exceedances) Dust Monitoring Summary Report 27/05/24-2/06/24, 3/06/2024 by SERS (with 5 exceedance) Dust Monitoring Summary Report 29/04/24-5/05/24, 6/05/2024 by SERS		
Construction air quality management plan				
B57	The Applicant must prepare a Construction Air Quality Management Plan (AQMP) to the satisfaction of the Secretary. The AQMP must be prepared by a suitably qualified and experienced person(s). The Construction AQMP must form part of the CEMP required by condition C1. The AQMP must include: <ol style="list-style-type: none"> a) a Construction Air Quality Monitoring Program; b) identification of sources (including stockpiles and open work areas) and quantify airborne pollutants; c) best practice reactive and proactive control measures that will be implemented for each emission source including measures to prevent the emission of visible dust from the site as listed in condition B56; d) provisions for the implementation of additional mitigation measures in response to issues identified during monitoring and reporting; e) for all emission sources at the site: <ol style="list-style-type: none"> i. key performance indicator(s); ii. monitoring method(s); iii. location, frequency and duration of monitoring; iv. record keeping; v. complaints register; vi. response procedures; and vii. compliance monitoring. 	Construction Air Quality Management Plan Rev 17, 18/8/2022 by SIMTA Letter from DPHI, 18/12/2023 re. approval of CAQMP Rev.17	A Construction Air Quality Management Plan has been prepared to address the requirements of this condition. The document was initially approved in 2018 then on the 18/12/2023.	C
B58	Air quality monitoring must be undertaken during early works, fill importation and construction.	Annual Review 2022 Moorebank Precinct East Stage 2, LOGOS, 30/08/2023, Rev.2 Annual Review 2023 Moorebank Precinct East Stage 2, 17/10/2024 Dust Monitoring Summary Report 23/09/24-29/09/24, 30/09/2024 by SERS (with 1 exceedance) Dust Monitoring Summary Report 26/08/24-1/09/24, 3/09/2024 by SERS	Dust Deposition Gauge Results from SERS were presented. DDG for Moorebank Avenue showed no sensitive receivers, only one DDG had an exceedance, and this was reflected in the compliance report. According to the Annual Review for 2022 (dated 30/08/2023): <ul style="list-style-type: none"> - no monitoring was completed at the closest off-site sensitive receiver; site boundary monitoring was undertaken in the alternative. - No exceedances of the 2g/m²/month increase, and 4g/m²/month maximum criteria were reported in the review period. 	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Dust Monitoring Summary Report 29/07/24-4/08/24, 5/08/2024 by SERS</p> <p>Dust Monitoring Summary Report 24/06/24-30/06/24, 1/07/2024 by SERS (with 7 exceedances)</p> <p>Dust Monitoring Summary Report 27/05/24-2/06/24, 3/06/2024 by SERS (with 5 exceedance)</p> <p>Dust Monitoring Summary Report 29/04/24-5/05/24, 6/05/2024 by SERS</p>	<ul style="list-style-type: none"> - Airborne asbestos fibre levels were confirmed to be below 0.01 fibres/mL throughout the review period. - PM_{2.5} and PM₁₀: relevant documentation was not received at the time of preparing the report. <p>According to the Annual Review for 2023 (dated 17/10/2024):</p> <ul style="list-style-type: none"> - no monitoring was completed at the closest off-site sensitive receiver; site boundary monitoring was undertaken in the alternative. - No exceedances of the 2g/m²/month increase, and 4g/m²/month maximum criteria were reported in the review period. - No work triggering the requirement for daily airborne asbestos monitoring has been undertaken during the reporting period. - PM_{2.5}: No exceedances were recorded between November 2022 and October 2023. - PM₁₀: Six exceedances were recorded between November 2022 and October 2023. One of the exceedances recorded in October 2023 coincided with a 'fair' (37.8) reading of PM₁₀ at the Liverpool monitoring station and hazard reduction burns in the wider Sydney area. Four of the exceedances identified during the review period were recorded at Air Quality Monitor 03 (AQM03) which is located on the western extent of the Moorebank Precinct West (MPW) Stage 2 footprint and may consequently be the result of construction activities undertaken on MPW Site. <p>Dust Monitoring Summary Reports from SERS in 2024 showed the following exceedances:</p> <ul style="list-style-type: none"> - 1 exceedance from 23/09/24 to 29/09/24 - 7 exceedances from 24/06/24 to 30/06/24 - 5 exceedances from 27/05/24 to 2/06/24 <p>The 7 exceedances in June for PM_{2.5} (25mg/m³) dust (34.56, 40.18, 40.84, 29.63, 30.44, 41.99 and 32.98) were recorded from 24/6/24 to 30/6/24 at the monitor in location 2 and the 5 exceedances in May (30.63, 39.33, 42.40, 38.85 and 25.48) were recorded from 27/05/2024 to 31/05/2024.</p> <p>ER inspection reports for 2024 did not identify dust issues. Photos from the inspection reports showed stabilisation of non-trafficable areas with polymer. Areas without active construction were observed by the Auditor to be stabilised with polymer during the audit site inspection on 4/12/24. Refer to photos in Appendix D.</p> <p>No complaints were received regarding dust during the audit period.</p>	
Operational air quality management plan				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B59	<p>The Applicant must prepare an Operational AQMP to the satisfaction of the Secretary for the entire precinct (MPE + MPW), unless this has been prepared and approved under an approval for the MPW site. The AQMP must be prepared by a suitably qualified and experienced person(s) and must form part of the OEMP required by condition C3. The AQMP must include:</p> <ul style="list-style-type: none"> a) identification of sources and quantify airborne pollutants; b) best practice reactive and proactive control measures that will be implemented for each emission source; c) provisions for the implementation of additional mitigation measures in response to issues identified during monitoring and reporting; d) for all emission sources associated with site operations: <ul style="list-style-type: none"> i. key performance indicator(s); ii. monitoring method(s); iii. location, frequency and duration of monitoring; iv. record keeping; v. complaints register; vi. response procedures; and vii. compliance monitoring. 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
B60	The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
B61	Equipment must be installed and operated in accordance with best practice to ensure that the development complies with all load limits, air quality criteria, air emission limits and air quality monitoring requirements as specified under this consent.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
CONSTRUCTION NOISE AND VIBRATION				
Noise monitoring				
B62	Prior to early works, the Applicant must undertake noise monitoring in accordance with INP to verify RBLs for the closest sensitive receivers	<p>Construction Noise & Vibration Management Plan Rev 17, 18/8/2022 by SIMTA</p> <p>Letter from DPHI, 18/12/2023 re. approval of CAQMP Rev.17</p>	<p>Monitoring conducted and is presented in a report by Wilkinson Murray dated January 2018. DPHI acknowledged receipt of the Noise Monitoring Report 20/02/18.</p> <p>A Construction Noise and Vibration Management Plan was prepared to address the requirements of this condition. The document was approved in 2023 by DPHI.</p>	C
B63	Prior to early works and fill importation, the Applicant must submit a Noise Monitoring Report detailing the results of background noise monitoring, any resulting adjustment of NMLs for the development and any additional noise mitigation measures to be include in the CEMP required under condition C1.	Interview with Auditees 2/12/24	Monitoring conducted and is presented in a report by Wilkinson Murray dated January 2018. DPHI acknowledged receipt of the Noise Monitoring Report 20/02/18.	NT
B64	Continuous noise monitoring at sensitive receivers must be undertaken during early works, fill importation, construction and for at least 12 months following occupation of the entire site.	Continuous noise monitoring data, 2022-2024 (for the whole precinct),	Continuous noise monitoring data covering the period of 2022 – 2024 was sighted.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status													
		Envirosuite system Annual Review 2022 Moorebank Precinct East Stage 2, LOGOS, 30/08/2023, Rev.2 Annual Review 2023 Moorebank Precinct East Stage 2, 17/10/2024	<p>According to the Annual Review Report for 2022, construction noise monitoring was completed as required at the nearest four residential noise catchment areas. The results show that the development is compliant and being managed in accordance with the CNVMP.</p> <p>According to the Annual Review Report for 2023, no noise complaints relevant to MPE Stage 2 works triggering the requirement for attended noise monitoring were received during the review period. Attended noise monitoring was triggered for one of the OOHW within the review period. Measured noise levels ranged between 50.3-55.2 Leq(15min),dB(A). No EHW were undertaken during the review period.</p> <p>With regards to the Predicted Noise Limits: 56–75 Leq (15min), dB(A) Measured noise levels were less than that predicted and ranged between 49 – 60 Leq(15min),dB(A).</p>														
Construction hours																	
B65	<p>The construction hours detailed in Table 2 must be complied with, except where they may be undertaken under condition B66.</p> <p>Table 2: Hours of Work</p> <table border="1" data-bbox="409 1081 1219 1203"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Early works and Construction</td> <td>Monday – Friday</td> <td>7 am to 6 pm</td> </tr> <tr> <td>Saturday</td> <td>7 am to 1 pm</td> </tr> <tr> <td rowspan="2">Moorebank Avenue upgrade</td> <td>Monday – Friday</td> <td>7 am to 6 pm</td> </tr> <tr> <td>Saturday</td> <td>7 am to 1 pm</td> </tr> </tbody> </table>	Activity	Day	Time	Early works and Construction	Monday – Friday	7 am to 6 pm	Saturday	7 am to 1 pm	Moorebank Avenue upgrade	Monday – Friday	7 am to 6 pm	Saturday	7 am to 1 pm	<p>Construction Noise & Vibration Management Plan Rev 17, 18/8/2022 by SIMTA</p> <p>Project Induction, Moorebank Avenue Rev.7 12/07/2021, BMD</p> <p>OOHW application #53, BMD - Line marking Moorebank Avenue Diversion Road at intersection with IMEX and Chatham Ave, 05/04/2021 Rev.2</p> <p>OOHW application #54, BMD – Closure of Chatham Ave, 18/04/2023 Rev.2</p> <p>OOHW application #66, BMD – Sewer Southern Tie in Exposure and Thrust black, 15/08/2023</p> <p>Complaints register current to 29/10/2024 (publicly available, summary issued to DPHI and complaints management system extract)</p> <p>MPE 2022 Import Register, CARAS</p> <p>MPE 2023 Import Register, CARAS</p> <p>MLP Environmental Tracking Register MASTER (from 21/10/2019 to 24/08/2023)</p>	<p>The evidence indicates that the hours have been communicated to the workforce and that the OOHW protocol has been enacted when OOHW have been required. The MLP Environmental Tracking Register MASTER, covering the period from 21/10/2019 to 24/08/2023, was sighted. It was noted that the last OOHW entry in the register was dated 21-24/08/2023, and all OOHW activities had approved permit status. About 15 OOHW for MPE Stage 2 activities for the last 3 years. Sighted OOHW records for:</p> <ul style="list-style-type: none"> #53 Line Marking Moorebank Ave Diversion Road at intersections with IMEX and Chatham Ave, 05/04/2021 Rev.2 #54, BMD – Closure of Chatham Ave, 18/04/2023 Rev.2 #57(a) Steel delivery - HY conducted the activity due to the length of the steel for warehouse 6 and 7, the vehicle was oversize, the activity did not require and impact assessment #66 Sewer Southern Tie in Exposure and Thrust black, 1/08/2023 <p>Non-Compliance: Helicopter works were carried out on Sunday 21 August 2022 outside of the approved construction hours. This occurred when the solar panels were installed at the warehouses.</p> <p>A community complaint was received on 22 August 2022 about helicopter works at the development on Sunday, 21 August 2022. The Department issued a warning letter to LOGOS on the 19 December 2022 for conducting works outside the approved construction hours (against condition B65).</p> <p>LOGOS confirmed that helicopter-assisted construction had taken place on that date without community agreement and under LOGOS' coordination. LOGOS believed the works were approved by the inclusion of the CNVIS in Appendix D of the CNVMP, and that no further application or approval from the Department was required. As a result,</p>	NC
Activity	Day	Time															
Early works and Construction	Monday – Friday	7 am to 6 pm															
	Saturday	7 am to 1 pm															
Moorebank Avenue upgrade	Monday – Friday	7 am to 6 pm															
	Saturday	7 am to 1 pm															

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			helicopter work was carried out within the approved hours (not the OOHW). Non-compliance is considered closed.	
B66	<p>Except as permitted by an EPL, activities resulting in high noise impact (including impulsive or tonal noise emissions) must only be undertaken:</p> <ul style="list-style-type: none"> a) between the hours of 8:00 am to 5:00 pm Monday to Friday; b) between the hours of 8:00 am to 1:00 pm Saturday; and c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block. <p><i>Note:</i> For the purposes of this condition, 'continuous' includes any period during which there is less than a one-hour respite between ceasing and recommencing any of the work that is the subject of this condition.</p>	<p>Construction Noise & Vibration Management Plan Rev 17, 18/8/2022 by SIMTA</p> <p>Complaints register current to 29/10/2024 (publicly available, summary issued to DPHI and complaints management system extract)</p> <p>Site inspection 4/12/2024</p> <p>MLP Environmental Tracking Register MASTER (from 21/10/2019 to 24/08/2023)</p>	<p>No complaints relating to noise were attributed to SSD 7628 during the audit period. Once complaint was received regarding helicopter work on a Sunday (refer to B65). Between Dec 2021 – Dec 2024 the complaints have not been attributed to any one development on the MLP.</p> <p>Given the distance to the nearest receivers, activities on SSD 7628 would not result in high noise impact (generally defined as 75dB(A)).</p> <p>The MLP Environmental Tracking Register MASTER, covering the period from 21/10/2019 to 24/08/2023, was sighted. It was noted that the last OOHW entry in the register was dated 21-24/08/2023, and all OOHW activities had approved permit status. About 15 OOHW for MPE for the last 3 years. No high noise impact works on the MAUW.</p>	C
B67	<p>Works may be undertaken outside the hours detailed in Table 2 in the following circumstances:</p> <ul style="list-style-type: none"> a) for the delivery or dispatch of materials as requested by the NSW Police Force or other public authorities for safety reasons; b) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; c) where different construction hours are permitted or required under an EPL in force in respect of construction, in which case these construction hours must be complied with; d) where they are undertaken in accordance with an Out-Of-Hours Work Protocol detailing the assessment, management and monitoring of noise as part of the Construction Noise and Vibration Management Plan. 	<p>Construction Noise & Vibration Management Plan Rev 17, 18/8/2022 by SIMTA</p> <p>Project Induction, Moorebank Ave Rev. Nov 2024, BMD</p> <p>MLP Environmental Tracking Register MASTER (from 21/10/2019 to 24/08/2023)</p> <p>OOHW application #53, BMD - Line marking Moorebank Ave Diversion Road at intersection with IMEX and Chatham Ave, 05/04/2021 Rev.2</p> <p>OOHW application #54, BMD – Closure of Chatham Ave, 18/04/2023 Rev.2</p> <p>OOHW application #66, BMD – Sewer Southern Tie in Exposure and Thrust black, 15/08/2023</p> <p>Complaints register current to 29/10/2024 (publicly available, summary issued to DPHI and complaints management system extract)</p> <p>MPE 2022 Impot Register, CARAS</p> <p>MPE 2023 Impot Register, CARAS</p>	<p>The evidence indicates that the hours have been communicated to the workforce and that the OOHW protocol has been enacted when OOHW have been required. The MLP Environmental Tracking Register MASTER, covering the period from 21/10/2019 to 24/08/2023, was sighted. It was noted that the last OOHW entry in the register was dated 21-24/08/2023, and all OOHW activities had approved permit status. About 15 OOHW for MPE Stage 2 activities for the last 3 years. Sighted OOHW records for:</p> <ul style="list-style-type: none"> • #53 Line Marking Moorebank Ave Diversion Road at intersections with IMEX and Chatham Avenue, 05/04/2021 Rev.2 • #54, BMD – Closure of Chatham Avenue, 18/04/2023 Rev.2 • #57(a) Steel delivery - HY conducted the activity due to the length of the steel for warehouse 6 and 7, the vehicle was oversize, the activity did not require and impact assessment • #66 Sewer Southern Tie in Exposure and Thrust black, 1/08/2023. <p>No works under a), b) and c). For d) 15 OOHW were carried out in accordance with protocols.</p> <p>It was noted that the Department issued a warning letter to LOGOS on the 19/12/2022 for conducting works outside the approved construction hours (condition B65). This followed community complaints received on 22/08/2022 about helicopter works at the development on Sunday, 21/8/2022. LOGOS confirmed that helicopter-assisted construction had taken place on that date without community agreement and under LOGOS' coordination. LOGOS believed the works were approved by the inclusion of the CNVIS in Appendix D of the CNVMP, and that no further application or approval from the Department was required. This happened when the solar panels were installed at the warehouses. As a result, helicopter work was carried out within the approved hours (not the OOHW).</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			<p>Correspondence from the Department for the review and approval of construction plans was sighted for the following:</p> <ul style="list-style-type: none"> Letter from the Department with approval of the CEMP (Rev.16, 21/04/2021) and subplans was received on the 10/5/2021. Letter DPFI-Urbis, 11/08/2022 re. approval of Development Layout Plan, Drawing DLP-MAS-46MPE, Issue B, 14/6/2022 under condition A22. 	
B68	<p>The Applicant must prepare an Out-Of-Hours Work Protocol for any work undertaken outside the hours specified in condition B65 or outside the circumstances specified under condition B67. An Out-Of-Hours Work Protocol must provide for the assessment, management and monitoring of out of hours work noise including:</p> <ol style="list-style-type: none"> where works are shown to be inaudible at the nearest sensitive receivers and vibration levels do not exceed those stipulated by Table 2.2 and Table 2.4 of Assessing Vibration: a technical guideline (DEC, 2006); where a negotiated agreement has been arranged with affected receivers; where noise can be shown to satisfy the noise management levels specified in the Interim Construction Noise Guideline (ICNG, DECC, 2009) at non-residential land uses; or where works are undertaken as part of an Extended Hours Work Plan approved as part of the Out-Of-Hours Work Protocol. 	<p>Construction Noise & Vibration Management Plan Rev 17, 18/8/2022 by SIMTA</p> <p>OOHW application #53, BMD - Line marking Moorebank Ave Diversion Road at intersection with IMEX and Chatham Ave, 05/04/2021 Rev.2</p> <p>OOHW application #54, BMD – Closure of Chatham Ave, 18/04/2023 Rev.2</p> <p>OOHW application #66, BMD – Sewer Southern Tie in Exposure and Thrust black, 15/08/2023</p> <p>MLP Environmental Tracking Register MASTER (from 21/10/2019 to 24/08/2023)</p>	<p>OOHW applications are prepared under the OOHW protocol (B68) within Appendix A of the NVMP.</p> <p>The OOHW application forms includes assessment, justification and authorisation. The applications are approved by the ER. According the MLP Tracking Register covering the period from 21/10/2019 to 24/08/2023, the last OOHW entry in the register was dated 21-24/08/2023, and all OOHW activities had approved permit status. About 15 OOHW for MPE Stage 2 activities for the last 3 years.</p> <p>OOHW protocol is part of the CNVMP from LOGOS; BMD follows their protocols and evidence of OOHW applications were sighted for #53, #54 and #66.</p>	C
B69	<p>An Extended Hours Work Plan will be prepared for any construction undertaken during the extended hours detailed in Table 3 as required by condition B68(d). The Extended Hours Work Plan must provide for:</p> <ol style="list-style-type: none"> a three-month assessment period, commencing at the start of extended hours construction works; implementation of the Construction Noise and Vibration Management Plan; noise monitoring at a representative number of sensitive receivers (including closest and furthest) to confirm the predicted noise levels; targeted consultation with the noise affected sensitive receivers; notification of the relevant Council, local residents and other affected stakeholders and sensitive receivers of the timing and duration at least 48 hours prior to the commencement of the works; construction work timeframes and methods for investigation of noise complaints; submission of monthly complaints reports to the Department for the life of extended hours activities; continual refinement of mitigation measures based on consultation with the noise affected sensitive receivers; implementation of work practices set out in section 5.2 of the ICNG; a final summary report submitted to the Secretary at the end of the assessment period in sub condition (a), detailing the outcomes of the assessment period, the resolution of complaints during the assessment period, and demonstrate the acceptability of works outside standard hours. 	<p>Construction Noise & Vibration Management Plan Rev 17, 18/8/2022 by SIMTA</p> <p>Interview with auditees 02/12/2024</p> <p>MLP Environmental Tracking Register MASTER (from 21/10/2019 to 24/08/2023)</p>	<p>The Extended Hours Work Plan is presented in Appendix B of the approved NVMP. The auditees are not aware of extended works utilising the plan.</p> <p>The MLP Environmental Tracking Register MASTER, covering the period from 21/10/2019 to 24/08/2023, was sighted. It was noted that the last OOHW entry in the register was dated 21-24/08/2023, and all OOHW activities had approved permit status. About 15 OOHW for MPE for the last 3 years.</p> <p>No extended hours, for the current audit period (last 3 years).</p>	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status								
	<p>Table 3: Extended Hours of Work</p> <table border="1" data-bbox="418 485 1181 590"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Early works and Construction (not including high noise impact, piling, spoil placement, rock breaking, concrete batching)</td> <td>Monday – Friday</td> <td>6 am to 7 am 6 pm to 10 pm</td> </tr> <tr> <td>Saturday</td> <td>1 pm to 5 pm</td> </tr> </tbody> </table>	Activity	Day	Time	Early works and Construction (not including high noise impact, piling, spoil placement, rock breaking, concrete batching)	Monday – Friday	6 am to 7 am 6 pm to 10 pm	Saturday	1 pm to 5 pm			
Activity	Day	Time										
Early works and Construction (not including high noise impact, piling, spoil placement, rock breaking, concrete batching)	Monday – Friday	6 am to 7 am 6 pm to 10 pm										
	Saturday	1 pm to 5 pm										
B70	The Applicant must comply with all written directions of the Secretary arising from the review of the final summary report required under condition B69.	<p>Construction Noise & Vibration Management Plan Rev 17, 18/8/2022 by SIMTA</p> <p>Interview with auditees 02/12/2024</p> <p>Letter DPHI to Qube, 10/05/21 (approval of 2021 revision to CEMP suite)</p>	<p>The Extended Hours Work Plan is presented in Appendix B of the approved NVMP. The NVMP was most recently approved by the Department in May 2021.</p> <p>The auditees are not aware of extended works utilising the plan, nor any directions from the Secretary regarding extended works</p>	NT								
B71	Construction must be carried out in accordance with the construction noise management levels and requirements detailed in the INCG (DECC, 2009).	<p>Construction Noise & Vibration Management Plan Rev 17, 18/8/2022 by SIMTA</p> <p>Project Induction, Moorebank Ave Rev. November 2024, BMD (noise and receivers slide 83)</p> <p>MLP Environmental Tracking Register MASTER (from 21/10/2019 to 24/08/2023)</p> <p>OOHW Application for MAUW, No.061, 15/8/2023 from BMD</p> <p>Complaints register current to 29/10/2024 (publicly available, summary issued to DPHI and complaints management system extract)</p> <p>Delivery Driver Induction, BMD, 08/07/21</p>	<p>The evidence indicates that the hours and noise management requirements have been communicated to the workforce and that the OOHW protocol has been enacted when OOHW have been required. According the MLP Tracking Register there have been 15 OOHW applications, and all have been approved.</p> <p>On 19/12/2022, the Department issued a warning letter to LOGOS for conducting works outside the approved construction hours (B65). This followed community complaints received on 22/08/2022 about helicopter works at the development on Sunday, 21/8/2022. LOGOS confirmed that helicopter-assisted construction had taken place on that date without community agreement and under LOGOS' coordination. LOGOS believed the works were approved by the inclusion of the CNVIS in Appendix D of the CNVMP, and that no further application or approval from the Department was required. This occurred when the solar panels were installed at the warehouses. As a result, helicopter work was carried out within the approved hours (not the OOHW).</p> <p>Last OOHW Application for MAUW, No.061, 15/8/2023 from BMD includes an impact assessment against CNVMP and included RBL and NMLs. There is a summary on noise estimator which indicates that RBL day 41, evening 37 night 34, and then it was predicted to be 28dBA.</p> <p>There are no tonal alarms within the site, BMD plant is fitted with non-tonal beepers.</p>	C								
B72	<p>All reasonable and feasible noise mitigation measures must be implemented in addition to the management and mitigation measures in APPENDIX B with the aim of achieving the following construction Noise Management Levels (NMLs) and vibration criteria:</p> <ol style="list-style-type: none"> construction noise management levels established using the INCG (DECC 2009); vibration criteria established using the <i>Assessing Vibration: a Technical Guide</i> (DECC 2006) (for human exposure); and the vibration limits set out in the <i>German Standard DIN 4150-3: Structural Vibration effects of vibration on structures</i> (for structural damage). 	<p>Interview with auditees 02/12/2024</p> <p>Refer B71</p>	<p>Note that there are no receivers in safe working distances for vibration intensive plant and therefore vibration risk is negligible.</p> <p>The Applicant indicated that not highly noise activities on site during the audit period.</p>	C								

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B73	<p>Any construction activities identified as exceeding the construction noise management levels and/or vibration criteria must be managed in accordance with the Construction Noise and Vibration Management Plan (CNVMP) required by condition B77. All feasible and reasonable noise mitigation and management measures must be implemented and any activities that could exceed the construction NMLs must be identified and managed in accordance with the CNVMP.</p> <p><i>Note: The INCG identifies 'particularly annoying' activities that require the addition of 5dB(A) to the predicted level before comparing to the construction NML.</i></p>	<p>Interview with auditees 02/12/2024</p> <p>Refer to Condition B71</p>	<p>Note that there are no receivers in safe working distances for vibration intensive plant and therefore vibration risk is negligible.</p> <p>The Applicant indicated that not highly noise activities on site during the audit period.</p>	C
Construction traffic noise				
B74	<p>Where feasible and reasonable, construction traffic movements on public roads should aim to limit any increase in existing road traffic noise levels to no more than 2 dB LAeq, period, where 'period' is defined in the EPA's Road Noise Policy (RNP) for both day and night.</p>	<p>Construction Noise & Vibration Management Plan Rev 17, 18/8/2022 by SIMTA</p> <p>Letter from DPHI-Aspect, 18/12/23 re. approve revised CEMP (Rev. 18, 25/09/2023) including CNVMP Rev.17</p>	<p>The closest public roads are Anzac Road and M5 Motorway. This is addressed in Table 35 of the NVMP. Table 35 shows that increases in road noise levels along the M5 Motorway, Moorebank Avenue, and Anzac Road are considerably less than 2 dB. Therefore, no mitigation of traffic noise levels, due to the construction of the Development, has been considered.</p> <p>The CNVMP Rev.17 was approved by the DPHI on the 18/12/2023.</p> <p>The amount of construction vehicles is a lot less that it was predicted in the EIS, about ~50 vehicles.</p>	C
B75	<p>The Applicant is to ensure that construction contractor's vehicles operate so as to minimise impacts. Measures that could be used include:</p> <ul style="list-style-type: none"> a) toolbox talks; b) contracts that include provisions to deal with unsatisfactory noise performance for the vehicle and/or the operator; and c) specifying non-tonal movement alarms in place of reversing beepers or alternatives such as reversing cameras and proximity alarms, or a combination of these, where tonal alarms are not mandated by legislation. 	<p>Delivery Driver Induction, BMD, 08/07/21</p> <p>Email BMD to subcontractor workforce, 03/12/20 (non-tonal beepers required)</p> <p>Email BMD to BMD, 23/06/21, 02/11/21 (non-tonal beepers required)</p>	<p>The delivery driver induction is provided to trucking companies and it includes Project rules including those relating to management of noise and actions in the event of unsatisfactory performance.</p> <p>Pre-starts continue reminder to park on designated areas, truck drivers are inducted.</p>	C
B76	<p>Use of compression brakes for construction vehicles associated with the project that are on site or on nearby roads is not permitted (e.g. Anzac Avenue).</p>	<p>Delivery Driver Induction, BMD, 08/07/21</p> <p>Email BMD to subcontractor workforce, 03/12/20 (non-tonal beepers required)</p> <p>Email BMD to BMD, 23/06/21, 02/11/21 (non-tonal beepers required)</p>	<p>The delivery driver induction is provided to trucking companies and it includes Project rules including those relating to management of noise (and compression braking). The driver's code of conduct includes details to address this condition.</p> <p>No need to use compression brakes on site.</p>	C
Construction noise and vibration management plan				
B77	<p>A Construction Noise and Vibration Management Plan (CNVMP) must be prepared for the development to the satisfaction of the Secretary. The plan must form part of the CEMP required by C1 and detail how construction noise and vibration impacts will be minimised and managed. The Plan must be consistent with the guidelines contained in the ICNG (DECC, 2009). The plan must be developed in consultation with the EPA and include:</p> <ul style="list-style-type: none"> a) identification of the work areas, site compounds and access points; b) identification of the type and number of plant and equipment expected on site at the same time; 	<p>Construction Noise & Vibration Management Plan Rev 17, 18/8/2022 by SIMTA</p> <p>Letter from DPHI-Aspect, 18/12/23 re. approve revised CEMP (Rev. 18, 25/09/2023)</p>	<p>Refer Independent Audit No. 1. A Construction Noise and Vibration Management Plan was prepared to address the requirements of this condition. The latest version of the CNVMP (Rev. 17) was approved by DPHI on 18/12/2023.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> c) identification of sensitive receivers (including heritage structures if relevant) and relevant construction noise and vibration goals applicable to the project as stipulated in condition B71; d) details of construction activities and an indicative schedule for construction works, including the identification of key noise and/or vibration generating construction activities (based on representative construction scenarios) that have the potential to generate noise and/or vibration impacts on surrounding sensitive receivers, particularly residential areas; e) an Out-of-hours Work Protocol as referenced in condition B68 for the assessment, management and approval of works outside standard construction hours, for the Secretary's approval. The Out-of-hours Work Protocol must: <ul style="list-style-type: none"> (i) detail assessment of out-of-hours works against the relevant noise and vibration criteria; (ii) provide detailed mitigation measures for any residual impacts (that is, additional to general mitigation measures), including extent of at-receiver treatments; (iii) include proposed notification arrangements; and (iv) include an Extended Hours Work Plan as required by condition B69. f) identification of feasible and reasonable measures to be implemented to minimise and manage construction noise impacts, including, but not limited to, acoustic enclosures, erection of noise walls (hoardings), respite periods; g) management of the number of trucks accessing the site; h) a truck driver protocol addressing designated routes, acceptable delivery hours, speed limits on site, no engine braking in the vicinity or on site, no extended periods of engine idling, avoiding queuing in or around the site and limiting the need for reversing on site; i) identification of feasible and reasonable procedures and mitigation measures to ensure relevant vibration criteria are achieved, including applicable buffer distances for vibration intensive works, use of low vibration generating equipment/ vibration dampeners or alternative construction methodology, and pre- and post- construction dilapidation surveys of sensitive structures where vibration is likely to result in damage to buildings and structures (including surveys being undertaken immediately following a monitored exceedance of the criteria); j) a description of how the effectiveness of mitigation and management measures would be monitored during the proposed works, clearly indicating how often this monitoring would be conducted, the locations where monitoring would take place, how the results of this monitoring would be recorded and reported, and, if any exceedance is detected, how any non-compliance would be rectified; k) noise and vibration monitoring procedures (routine and complaints triggered monitoring); l) a community consultation and complaints handling procedure; and m) mechanisms for the monitoring, review and amendment of this plan. 			
B78	Blasting is not permitted on the site.	Interview with auditees 02/12/2024	Noted	NT
OPERATIONAL NOISE AND VIBRATION				
Hours of operation				
B79	The permitted hours of warehouse and distribution operation are detailed in Table 4 .	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status																				
	<p>Table 4: Hours of Operation</p> <table border="1" data-bbox="439 478 1210 541"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td>Operation</td> <td>Monday to Sunday</td> <td>24 hours</td> </tr> </tbody> </table>	Activity	Day	Time	Operation	Monday to Sunday	24 hours																	
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Operational noise limits																								
B80	<p>Noise generated by operation of the development inclusive of MPE Stage 1 operations must not exceed the noise limits in Table 5.</p> <p>B80. Noise generated by operation of the development inclusive of MPE Stage 1 operations must not exceed the noise limits in Table 5.</p> <p>Table 5: Noise Limits dB(A)</p> <table border="1" data-bbox="439 825 1270 1050"> <thead> <tr> <th>Location (residential receivers)</th> <th>Day L_{Aeq,15 minute}</th> <th>Evening L_{Aeq,15 minute}</th> <th>Night L_{Aeq,15 minute}</th> <th>Night L_{A1, 1 minute}</th> </tr> </thead> <tbody> <tr> <td>Casula</td> <td>35 dB</td> <td>35 dB</td> <td>35 dB</td> <td>52 dB</td> </tr> <tr> <td>Glenfield</td> <td>35 dB</td> <td>35 dB</td> <td>35 dB</td> <td>52 dB</td> </tr> <tr> <td>Wattle Grove</td> <td>35 dB</td> <td>35 dB</td> <td>35 dB</td> <td>52 dB</td> </tr> </tbody> </table> <p><i>Notes:</i></p> <p>To determine compliance with the L_{Aeq,15-minute} noise limits, noise from the development is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of a dwelling where the dwelling is more than 30 metres from the boundary. Where it can be demonstrated that direct measurement of noise from the project is impractical, the EPA may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy must also be applied to the measured noise levels where applicable.</p> <p>To determine compliance with the L_{A1,1-minute} noise limits, noise from the project is to be measured at 1 metre from the dwelling façade. Where it can be demonstrated that direct measurement of noise from the project is impractical, the EPA may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy).</p> <p>The noise emission limits identified above apply under meteorological conditions of:</p> <ul style="list-style-type: none"> (i) wind speeds of up to 3 m/s at 10 metres above ground level; or (ii) 'F' atmospheric stability class. 	Location (residential receivers)	Day L _{Aeq,15 minute}	Evening L _{Aeq,15 minute}	Night L _{Aeq,15 minute}	Night L _{A1, 1 minute}	Casula	35 dB	35 dB	35 dB	52 dB	Glenfield	35 dB	35 dB	35 dB	52 dB	Wattle Grove	35 dB	35 dB	35 dB	52 dB	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
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Wattle Grove	35 dB	35 dB	35 dB	52 dB																				
Review of sleep disturbance impacts																								
B81	<p>The Applicant must prepare a Review of Sleep Disturbance Impacts based on detailed design, including:</p> <ul style="list-style-type: none"> a) an assessment of how often noise events occur, the time of day they occur and whether there are any times of day when there is a clear change in the noise environment; b) confirm the operational L_{Amax} predictions of the final design; and c) consider appropriate noise mitigation measures where required. 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT																				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B82	The Review of Sleep Disturbance Impacts must be prepared in consultation with the EPA and to the satisfaction of the Secretary and must be submitted to the Secretary within six months of commencement of construction, unless otherwise agreed by the Secretary.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
Operational noise management plan				
B83	An Operational Noise Management Plan must be submitted to the Secretary for approval and form part of the OEMP required under condition C3. The report must be prepared by a suitably qualified and experienced person(s) and include: <ul style="list-style-type: none"> a) an outline of management actions to be taken to address any potential non-compliances with the limits specified in Table 5; b) a description of contingency measures to be implemented in the event management actions do not reduce noise levels to a compliant level; and c) identification of additional feasible and reasonable measures to those proposed in the documents specified under condition A2, that would be implemented with the objective of meeting the criteria outlined in the NSW RNP (EPA, 2011), when these measures would be implemented and how their effectiveness would be measured and reported to the Secretary and the EPA. 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
Mechanical plant and other equipment				
B84	Prior to construction of the freight village and each warehouse, the Applicant must submit to the Secretary a Noise Assessment for Mechanical Plant and other noisy equipment to demonstrate that plant has been selected to meet the overall operational noise limits specified in Table 5 .	Interview with auditees 2/12/24 Acoustic design report, MPE WH6 and WH7, Pulse White Noise Acoustics, 28/3/2023 Acoustic design report submitted to DPPI, 28/6/2023 Post Approval Form PA-215 re. submission of acoustic design report for WH6 and WH7	Presented Acoustic design report from Pulse White Noise acoustics, dated 28/3/2023. This was submitted to DPPI on the 28/6/23. Note: WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition.	C
B85	The Applicant must carry out noise monitoring of mechanical plant and other noisy equipment for a minimum period of one week where valid data is collected following occupation of each warehouse. The monitoring program must be carried out by a suitably qualified and experienced person(s) and a Monitoring Report for Mechanical Plant must be submitted to the Secretary within two months of occupation or each tenancy to verify predicted mechanical plant and equipment noise levels.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
Operational noise report				
B86	Within 12 months of occupation of the first warehouse, 50% occupation of the site and 100% occupation of the site, or as otherwise agreed by the Secretary, the Applicant must undertake operational noise monitoring to compare actual noise performance of the project against predicted noise performance and prepare an Operational Noise Report to document this monitoring. The Report must include, but not necessarily be limited to: <ul style="list-style-type: none"> a) noise monitoring to assess compliance with the predicted operational noise levels and 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>the noise limits specified in Table 5;</p> <ul style="list-style-type: none"> b) a validation by predictive modelling of the operational noise levels in terms of criteria and noise goals established in the NSW RNP (EPA, 2011); c) sleep disturbance impacts compared to those determined in documents specified under condition A2; d) impacts associated with annoying characteristics such as prominent tonal components, impulsiveness, intermittency, irregularity and dominant low-frequency content; e) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which project noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers; f) details of any complaints and enquiries received in relation to operational noise generated by the project between the date of commencement of operation and the date the report was prepared; g) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and heavy vehicle proportions; and h) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of all feasible and reasonable mitigation measures. 			
B87	The Applicant must provide the Secretary and the EPA with a copy of the Operational Noise Report within 60 days of completing the operational noise monitoring referred to in (a) above or as otherwise agreed by the Secretary.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
B88	To ensure the operational noise impacts are appropriately managed, the following measures apply: <ul style="list-style-type: none"> a) use of best practice plant; and b) preparation of a risk assessment to determine if non-tonal reversing alarms can be fitted as a condition of site entry. Alternatively, site design may include traffic flow that does not require or precludes reversing of vehicles. 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
B89	For the duration of operation heavy road freight vehicles are not permitted to use Moorebank Avenue south of the East Hills Railway corridor. A main gate monitoring system (e.g. CCTV) must be installed to identify heavy vehicles turning left from the terminal site onto Moorebank Avenue, or turning right from Moorebank Avenue to the terminal site. The Secretary may at any time request the Applicant to provide a heavy vehicle monitoring report for the prior 12-month period.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
Continuous improvement				
B90	For the duration of operation, the Applicant must: <ul style="list-style-type: none"> a) continue to implement all reasonable and feasible best practice noise mitigation measures; b) continue to investigate ways to reduce the noise generated by the development, including maximum noise levels which may result in sleep disturbance; and c) report on these investigations and the implementation and effectiveness of these measures in the Annual Review to the satisfaction of the Secretary. 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
HERITAGE				
Archival recording				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B91	Prior to Early Works and Fill Importation, archival recording of the entire former DNSDC site must be undertaken in accordance with the Non-Indigenous Heritage Assessment (artefact, 2016) by a suitably qualified and experienced person(s).	Interview with Auditees 2/12/2024	Refer to IA1 - A Project Heritage Consultant completed archival recordings for all heritage listed structures on the site prior to the commencement of construction of MPE Stage 1 as required by Condition C13 of SSD14-6766. The archival recordings were submitted as a soft copy to DPHI on 08/06/17 with hardcopies posted at the end of June and received by 05/07/17.	NT
Heritage management plan				
B92	Prior to commencement of Early Works and Fill Importation, the Applicant must prepare a Heritage Management Plan , to the satisfaction of the Secretary. The plan must form part of the CEMP required by C3 and must: <ul style="list-style-type: none"> a) be prepared by suitably qualified and experienced person(s); b) be prepared in consultation with NSW Heritage Division, Council, relevant landowners and stakeholders including the Moorebank Heritage Group (MHG) and Department of Defence. 	Construction Heritage Management Plan Rev 16, 18/8/2022 by SIMTA DPHI letter, 18/12/2023 approval of Rev.16	A Heritage Management Plan has been prepared to address the requirements of this condition. The latest revision of the Plan (Rev.16) was approved by DPHI on 18/12/2023.	C
B93	The Heritage Management Plan must include: <ul style="list-style-type: none"> a) plans/strategies to monitor, mitigate and manage the effects of the development on identified PADs; b) measure to ensure site workers receive suitable heritage inductions prior to carrying out any activities which may cause impacts to heritage, and that suitable records are kept of these inductions; c) a program and description of the measures/procedures to be implemented for: <ul style="list-style-type: none"> I. undertaking surface surveys and archaeological investigations (where subsurface disturbance is proposed) of any items of heritage significance; II. protecting heritage items located outside the disturbance area from the impacts of the development; III. managing any new heritage items discovered during the development; and IV. additional archaeological excavation and recording of any significant heritage deposits uncovered during demolition. 	Construction Heritage Management Plan Rev 16, 18/8/2022 by SIMTA DPHI letter, 18/12/2023 approval of Rev.16	A Heritage Management Plan has been prepared to address the requirements of this condition. The latest revision of the Plan (Rev.16) was approved by DPHI on 18/12/2023.	C
Archaeological monitoring and recording				
B94	Prior to commencement of Early Works and Fill Importation, archaeological monitoring and recording must be undertaken at potential archaeological deposits (PADs) V and W in accordance with the Non-Indigenous Heritage Assessment (artefact 2016) by a suitably qualified and experienced archaeologist with Excavation Director Criteria qualifications.	-	Refer Independent Audit No. 1. MPES2: Archaeological monitoring for PADS conducted by Artefact. Refer Method Statement for PAD V and W (7/03/18) and Future management of potential archaeological resources within the Moorebank Precinct East (MPE) PADs V and W (28/03/18) prepared by Artefact.	NT
B95	The results must be reported to the Secretary within one month of completion of monitoring and recording at PADs V and W, along with recommendations for further monitoring at additional sites, if significant archaeological deposits are encountered.	-	Refer Independent Audit No. 1. A summary of excavation results and future management of potential archaeological resources within the Moorebank Precinct East (MPE) PADs V and W was prepared by Artefact, dated 2/05/18.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B96	Fill importation must not commence within 10 metres of PADs V and W until the results of any further monitoring and recording, along with any additional Non-Indigenous Heritage management measures, are submitted to the Secretary and included in an updated Heritage Management Plan to the satisfaction of the Secretary.	-	Refer Independent Audit No. 1. The report 'Summary of Excavation Results and Future Management – Moorebank Precinct East (MPE) PADs V and W' dated 16/04/18, was submitted to the Secretary on 18/04/18. The report concludes there is no need for any further testing around PADs V and W and recommends that restrictions within 10 m of PADs V and W can be removed. There are no recommendations for further monitoring at additional sites.	NT
Unexpected finds protocol				
B97	Before commencement of construction, the Applicant must prepare an Unexpected Finds Protocol for the development in consultation with the Registered Aboriginal Parties, OEH and the NSW Heritage Division and must implement the Protocol in accordance with its terms.	Construction Heritage Management Plan Rev 16, 18/8/2022 by SIMTA DPHI letter, 18/12/2023 approval of Rev.16	This was included in the Heritage Management Plan, approved by DPHI in 2018. The latest revision of the Plan (Rev.16) was approved by DPHI on 18/12/2023.	NT
Discovery of human remains or Aboriginal objects or places				
B98	If human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Applicant must immediately notify NSW Police and OEH, and work must not recommence in the area until authorised by NSW Police and OEH.	Interview with auditees 02/12/2024	No human remains or Aboriginal objects or places discovered.	NT
B99	If any Aboriginal object or Aboriginal place is identified on site, or suspected to be on site: a) all work in the immediate vicinity of the object or place must cease immediately; b) a 10m buffer area around the object or place must be cordoned off; and c) OEH must be contacted immediately.	Interview with auditees 02/12/2024	No human remains or Aboriginal objects or places discovered.	NT
B100	Work in the immediate vicinity may only recommence if: a) the object or place is confirmed by OEH upon consultation with the Registered Aboriginal Parties, not to be an Aboriginal object or Aboriginal Place; or b) an Aboriginal Cultural Heritage Management Plan is prepared in consultation with the Registered Aboriginal Parties and OEH to include the object or place and appropriate measures in respect of it, and the Plan is approved by the Secretary; or c) OEH is satisfied as to the measures to be implemented in respect of the object or place and makes a written direction in that regard.	Interview with auditees 02/12/2024	No human remains or Aboriginal objects or places discovered.	NT
Heritage interpretation plan				
B101	Prior to commencement of operation, the Applicant must prepare a Heritage Interpretation Plan based on the recommendations contained in the Heritage Interpretation Strategy (artefact, 2017) approved under MPE Stage 1. The plan must be prepared for the entire Moorebank Intermodal Precinct (MPE and MPW sites).	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
B102	The plan must form part of the OEMP required by condition C3 and must: a) be prepared by a suitably qualified and experienced person(s); b) be prepared in consultation with NSW Heritage Division, Council, relevant landowners and stakeholders including the Moorebank Heritage Group (MHG), Department of	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status								
	Defence, as well as the Relevant Aboriginal Parties (RAPs) should themes relating to Aboriginal heritage be included for interpretation; and c) be approved by the Secretary prior to the commencement of operation.											
BIODIVERSITY												
B103	The Applicant must: a) ensure that no more than 4.88 hectares of native vegetation is cleared for the development; and b) minimise: I. the impacts of the development on hollow-bearing trees; and II. the clearing of native vegetation and key habitat within the approved disturbance footprint.	Construction Flora and Fauna Management Plan Rev 17, 18/8/2022 by SIMTA Interview with auditees 02/12/2024	The limit of clearing is specified in the FFMP. All vegetation has been removed from internal to the site and has not exceed the limits require by this condition. The site is fenced to prevent off site clearing. No more clearing since the last audit.	C								
B104	Prior to the commencement of construction, unless the Secretary agrees otherwise, the Applicant must retire biodiversity credits of a number and class specified in Tables 6, 7A and 7B and provide evidence to the satisfaction of the Secretary. The retirement of credits must be carried out in accordance with the NSW Biodiversity Offsets Policy for Major Projects, and can be achieved by a) acquiring or retiring credits under the BioBanking scheme established under the then <i>Threatened Species Conservation Act 1995</i> b) making payments unto an offset fund that has been established by the NSW Government; or c) providing suitable supplementary measures. Table 6: Ecosystem credit requirements	Biobanking Agreement ID under 341, executed Letter from DPHI, 29/03/2019 re. approval of retirement of biodiversity credits ME003. Letter from DPHI, 19/10/2019, re. approval of retirement of biodiversity credits ME002, ME005, ME018. Letter from DPHI, 22/6/2020 re. approval of retirement of biodiversity credits (MPES2 - MOD2) Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #05 (2022), LOGOS, 30/8/2023 Rev.2	The biobanking agreement and credits had been retired at commencement of construction. On 22/06/20 the Department confirmed that sufficient evidence was provided to demonstrate retirement of ecosystem credits for MOD 2 under B104 and B104A. Nodding Geebung retirement was approved on 30/06/20. Stage 2 clearing commenced following this. No vehicle access to the area (previously mention in IA2). According to the Annual Review of 2022, biodiversity monitoring was completed during the review period assessed threatened flora offsets, weed and feral animals, Koala fencing, nest boxes and macroinvertebrate health in, and adjacent to, the Development. Results of operational biodiversity monitoring indicate that there were no measurable changes in the indicator variables from baseline monitoring that could be attributed to development works. No adaptive management contingency measures triggered.	C								
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B104A	<p>Prior to the commencement of construction, unless the Secretary agrees otherwise, the Applicant must retire biodiversity credits of a number and class specified in Table 7B and provide evidence to the satisfaction of the Secretary. The retirement of credits can be achieved by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the Biodiversity Offsets Payment Calculator. Note that prices of credits in the Biodiversity Offsets Payment Calculator are subject to change. The amount payable to discharge an offset obligation will be determined at the time of payment.</p> <p>Table 7B: Species credit requirements</p> <table border="1"> <thead> <tr> <th>Species</th> <th>Impacted habitat area (ha)</th> <th>Credits required</th> </tr> </thead> <tbody> <tr> <td>Nodding Geebung (<i>Persoonia nutans</i>)</td> <td>0.70</td> <td>1</td> </tr> <tr> <td><i>Hibbertia puberula</i> subsp. <i>puberula</i></td> <td>3.49</td> <td>103</td> </tr> <tr> <td><i>Hibbertia fumana</i></td> <td>0.14</td> <td>1</td> </tr> <tr> <td>Koala (<i>Phascolarctos cinereus</i>)</td> <td>0.29</td> <td>3</td> </tr> </tbody> </table>	Species	Impacted habitat area (ha)	Credits required	Nodding Geebung (<i>Persoonia nutans</i>)	0.70	1	<i>Hibbertia puberula</i> subsp. <i>puberula</i>	3.49	103	<i>Hibbertia fumana</i>	0.14	1	Koala (<i>Phascolarctos cinereus</i>)	0.29	3	<p>Biobanking Agreement ID under 341, executed</p> <p>Letter from DPHI, 29/03/2019 re. approval of retirement of biodiversity credits ME003.</p> <p>Letter from DPHI, 19/10/2019, re. approval of retirement of biodiversity credits ME002, ME005, ME018.</p> <p>Letter from DPHI, 22/6/2020 re. approval of retirement of biodiversity credits (MPES2 - MOD2)</p>	<p>On 22/06/20 the Department confirmed that sufficient evidence was provided to demonstrate retirement of ecosystem credits for MOD 2 under B104 and B104A. Nodding Geebung retirement was approved on 30/06/20. Stage 2 clearing commenced following this.</p>	C													
Species	Impacted habitat area (ha)	Credits required																														
Nodding Geebung (<i>Persoonia nutans</i>)	0.70	1																														
<i>Hibbertia puberula</i> subsp. <i>puberula</i>	3.49	103																														
<i>Hibbertia fumana</i>	0.14	1																														
Koala (<i>Phascolarctos cinereus</i>)	0.29	3																														
B105	<p>Notwithstanding condition B103, the Applicant:</p> <ol style="list-style-type: none"> may elect to retire biodiversity credits in conjunction with the retirement of biodiversity credits for other developments on the MPE or MPW developments, prior to the commencement of construction of this development, or at another time agreed by the Secretary; and is not required to retire credits for biodiversity impacts that it has already offset under another development consent, pending the provision of evidence of what credits were retired to offset which development. 	<p>Biobanking Agreement ID under 341, executed</p> <p>Letter from DPHI, 29/03/2019 re. approval of retirement of biodiversity credits ME003.</p> <p>Letter from DPHI, 19/10/2019, re. approval of retirement of biodiversity credits ME002, ME005, ME018.</p>	<p>On 22/06/20 the Department confirmed that sufficient evidence was provided to demonstrate retirement of ecosystem credits for MOD 2 under B104 and B104A.</p>	C																												

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Letter from DPPI, 22/6/2020 re. approval of retirement of biodiversity credits (MPES2 - MOD2)		
Baseline monitoring program				
B106	<p>Prior to early works, a baseline monitoring program must be prepared in consultation with OEH and DPI to define pre-development conditions for water quality, invertebrates and fish assemblages. The results of this monitoring program are to be used to:</p> <ul style="list-style-type: none"> a) develop a Biodiversity Monitoring Strategy to identify any changes between upstream and downstream sites as a result of the construction and operation of the development; and b) set the stormwater water quality and quantity performance criteria referred to in condition B40. 	<p>Interview with auditees 02/12/2024</p> <p>Biodiversity Monitoring Strategy, 19/6/18</p> <p>MPE2 Biodiversity Monitoring in Anzac Creek, Autumn 2022, 06/07/2022</p> <p>MPES2 Biodiversity Monitoring in Anzac Creek, Autumn 2023, 8/8/2023</p> <p>MPE2 Biodiversity Monitoring in Anzac Creek, Spring 2022, 20/01/2023</p> <p>MPE2 Biodiversity Monitoring in Anzac Creek, Spring 2023, 09/01/2024</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #05 (2022), LOGOS, 30/8/2023 Rev.2</p>	<p>A Biodiversity Monitoring Strategy was submitted to DPPI on 19/06/2018 for information. This was addressed in the previous audit.</p> <p>No changes to the Strategy. There is an autumn survey and spring survey. Sighted MPES2 Biodiversity Monitoring in Anzac Creek – Autumn and Spring 2022 and Autumn and Spring 2023. According to the reports, no changes in the indicator variables attributed to the Development.</p>	C
B107	Any unavoidable indirect impacts as identified through the Biodiversity Monitoring Strategy required under condition B106, e.g. impacts of change hydrology on vegetation in boot land/ biobank site must be identified and measures to address this must be developed in consultation with OEH and implemented to the satisfaction of the Secretary. Measures may include additional offsetting.	<p>Interview with auditees 02/12/2024</p> <p>Construction Flora and Fauna Management Plan Rev 17, 18/8/2022 by SIMTA</p>	This is captured / managed in the FFMP which was prepared in consultation with OEH. No unavoidable indirect impacts. The Boot Lands remain protected.	C
Construction flora and fauna management plan				
B108	<p>Prior to clearing of native vegetation, the Applicant must prepare a Construction Flora and Fauna Management Plan (CFFMP) in consultation with OEH. The CFFMP must form part of the CEMP required by condition C1 and must include the following:</p> <ul style="list-style-type: none"> a) measures to minimise the loss of key fauna habitat, including tree hollows; b) measures to minimise the impacts on fauna on site, including conducting fauna pre-clearance surveys prior to vegetation clearing and building demolition c) controlling weeds and feral pets; d) an Unexpected Finds Procedure detailed procedures and management measures to be implemented in the event that flora and fauna is uncovered in any area not identified in the updated Biodiversity Assessment (BAR); e) to ensure biodiversity values not intended to be impacted are protected. These measures may include barriers and mapping of protected/ 'no-go' areas; and f) a program to monitor the effectiveness of the measures in the CFFMP 	<p>Construction Flora and Fauna Management Plan Rev 17, 18/8/2022 by SIMTA</p> <p>18/12/2023 letter from DPPI.</p>	<p>A Construction Flora and Fauna Management Plan has been prepared to address the requirements of this condition. This was approved by DPPI on 01/06/18, updated plan 18/8/2022.</p> <p>No clearing of vegetation on MPES2 during the audit period.</p> <p>According to the Annual Review Report for 2022, the native animal nest box utilisation rate was found to be 59%, the invasive species nest box utilisation rate was found to be 7% and 57 nest boxes were identified to be dysfunctional and require removal or repair.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B109	<p>Prior to removing/clearing any vegetation, pre-clearing surveys and inspections for threatened species, populations and ecological communities must be undertaken to confirm the on-site location of those entities. The surveys and inspections, and any subsequent relocation of species and associated management measures, must be undertaken under the guidance of a suitably qualified and experienced ecologist.</p> <p>Methodologies must be incorporated into the Construction Flora and Fauna Management Plan required under condition B108. The agreement of OEH, whichever is the relevant agency, is required for any proposed amendments to the location or reclassification of threatened species, populations and ecological communities as identified in the updated BAR</p>	Construction Flora and Fauna Management Plan Rev 17, 18/8/2022 by SIMTA	<p>Pre-clearing methodologies are captured in the FFMP. Pre-clearing surveys appear to have been completed during the audit period in accordance with the FFMP.</p> <p>No clearing of vegetation was undertaken on MPES2 during the audit period.</p>	C
Operational flora and fauna management plan				
B110	<p>Prior to operation, the Applicant must prepare an Operational Flora and Fauna Management Plan (OFFMP) in consultation with OEH. The OFFMP must form part of the OEMP required by condition C3 and must include measures to ensure biodiversity values not intended to be impacted are protected, including but not limited to:</p> <ul style="list-style-type: none"> I. weed control; II. feral animal control; III. pathogen management procedures; IV. monitoring; and V. rehabilitation actions. 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
B111	Bushfire asset protection zones are to be contained wholly within the site boundary and management of the inner protection zone and must not impact on the Boot Land.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
HAZARDS AND RISKS				
Dangerous goods				
B112	<p>The Applicant (the operator/occupant of each premises) must store and handle all chemicals, fuels and oils, including Dangerous Goods as defined in <i>the Australian Code for the Transport of Dangerous Goods by Road & Rail</i>, in accordance with:</p> <ul style="list-style-type: none"> a) the requirements of all relevant Australian Standards; and b) the NSW EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Handbook</i> if the chemicals are liquids. <p>In the event of an inconsistency between the requirements listed above, the most stringent requirement shall prevail to the extent of the inconsistency.</p>	<p>Construction Soil and Water Management Plan Rev 20, 25/9/2023 by SIMTA</p> <p>Interview with auditees 4/12/2024</p>	<p>Storage of chemicals and spill management is addressed in the SWMP and the Project induction. The inspections include checks that chemicals are properly stored and handled and that any spill kits are stocked, and spills responded to.</p> <p>For BMD site, a small number of hazardous substances are contained in the hazardous container. No issues were observed.</p> <p>Other chemicals, fuels and oils, including Dangerous Goods are managed on the warehouses and therefore considered as an operational requirement. This was assessed in the 2024 MPES2 Independent Operational Audit.</p>	C
B113	The Applicant (the operator/occupant of each premises) must ensure compliance with the <i>Environment Protection Manual for Authorised Officers: Bunding and Spill Management – technical bulletin</i> (EPA, 1997 and that for liquids, a minimum bund volume of 110% of the volume of the largest single stored volume within the bund is required.	<p>Construction Soil and Water Management Plan Rev 20, 25/9/2023 by SIMTA</p> <p>Interview with auditees 4/12/2024</p>	Storage of chemicals and spill management is addressed in the SWMP and the Project induction. The inspections include checks that chemicals are properly stored and handled and that any spill kits are stocked, and spills responded to.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			Other chemicals, fuels and oils, including Dangerous Goods are managed on the warehouses and therefore considered as an operational requirement. This was assessed in the 2024 MPES2 Independent Operational Audit.	
B114	The quantities of Dangerous Goods present at any time within the development or transported to and from the development must not exceed the screening threshold quantities in the Department's Hazardous and Offensive Development Guidelines Application Guidelines Applying SEPP 33 except Warehouse 7. The storage of Dangerous Goods and combustible materials in Warehouse 7 must not exceed the quantities listed in Table 3-1 of the Preliminary Hazard Analysis prepared by Riskcon dated 11 October 2022 at all times.	Interview with auditees 4/12/2024	The volumes required to be stored are well below the thresholds limits under the SEPP. Small amounts of chemicals are utilised and restocked as needed. Minor packages kept in a 10-foot container. Dangerous Goods managed at the warehouses were assessed in the 2024 MPES2 Independent Operational Audit.	C
B114A	A The Applicant must prepare the studies set out under subsections (a) and (b). Storage of Dangerous Goods in Warehouse 7 must not commence until study recommendations have been considered and, where appropriate, acted upon. The Applicant must submit the studies to the Planning Secretary no later than one month prior to the commencement of the storage of Dangerous Goods in Warehouse 7, or within such further period as the Planning Secretary may agree. a) FIRE SAFETY STUDY A Fire Safety Study for Warehouse 7. The study must cover the relevant aspects of the Department's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study' and the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems. The study must also satisfy the operational requirements of Fire and Rescue NSW, and include documentary evidence that a suitably qualified and experienced person is satisfied that the Applicant constructed Warehouse 7 in accordance with the fire safety systems and proposed designs assessed in the Fire Safety Study. b) FINAL HAZARD ANALYSIS A Final Hazard Analysis for Warehouse 7 with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'.	Interview with auditees 4/12/2024	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
B114B	Prior to the storage of Dangerous Goods in Warehouse 7, the Applicant must develop and implement the plans and systems set out under subsections (a) and (b). The Applicant must submit to the Planning Secretary documentation describing the plans and systems no later than two months prior to the commencement of the storage of Dangerous Goods in Warehouse 7, or within such further period as the Planning Secretary may agree. a) EMERGENCY PLAN A comprehensive Emergency Plan and detailed emergency procedures for Warehouse 7. This plan must include consideration of the safety of all people outside of the development who may be at risk from the development. The plan must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'. b) SAFETY MANAGEMENT PLAN A document setting out a comprehensive Safety Management System, covering all on-site operations and associated transport activities involving hazardous materials for Warehouse 7. The document must clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records must be kept on-site and must be available for inspection by the Planning Secretary upon request. The Safety	Interview with auditees 4/12/2024	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	Management System must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.			
B114C	<p>HAZARD AUDIT</p> <p>Twelve months after the commencement of operations of Warehouse 7 and every five years thereafter, or at such intervals as the Planning Secretary may agree, the Applicant must carry out a comprehensive Hazard Audit of Warehouse 7 and within one month of each audit submit a report to the Planning Secretary. The audits must be carried out at the Applicant's expense by a qualified person or team, independent of the development, approved by the Planning Secretary prior to commencement of each audit. Hazard Audits must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit'. The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.</p>	Interview with auditees 4/12/2024	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
B114D	<p>FURTHER REQUIREMENTS</p> <p>The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions 114A to 114D inclusive, within such time as the Planning Secretary may agree.</p>	Interview with auditees 4/12/2024	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
B115	<p>Prior to occupation of each premises and in each instance of occupation by a new occupant, a report must be submitted and approved by the Secretary confirming that the premises will be operated so as to comply with the requirements of conditions B112 and B114.</p> <p><i>Notes:</i></p> <p><i>The total quantity of DG within a warehouse must be considered as part of the screening, not the size of one container and separation distances must be based on the Applying SEPP 33 guideline.</i></p>	<p>Target Australia Pty Ltd Warehouse Occupation Environmental Management Plan, SIMTA, 19/08/19</p> <p>Warehouse 3B Warehouse Operational Environmental Management Plan – Federal Hospitality Equipment Environmental Management Plan, 08/03/21</p> <p>Letter DPHI to Qube, 22/03/21 (approval of Warehouse 3B WOEMP)</p> <p>Warehouse Operation Environmental Management Plan (WOEMP) for Warehouse 4B, 15/10/20</p> <p>Letter DPHI to Qube, 21/10/20 (approval of Warehouse 4B WOEMP)</p> <p>Warehouse Operation Environmental Management Plan (WOEMP) for Warehouse 5, 15/12/20</p> <p>Letter DPHI to Qube, 12/01/21 (approval of Warehouse 5 WOEMP)</p> <p>Warehouse Operational Environmental Management Plan (Warehouse 4A, PCA Express), 5/05/21</p>	<p>The WOEMPs include specifics on the quantities of dangerous goods to be handled or stored on each premise. These were approved prior to occupation.</p> <p>This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Letter DPHI to Qube, 21/05/21 (approval of Warehouse 4A WOEMP)</p> <p>Warehouse 3A Warehouse Operational Management Plan - Caesarstone Environmental Management Plan, 19/05/20</p> <p>Letter DPHI to Qube, 03/06/20 (approval of Warehouse 3A WOEMP)</p>		
Emergency response plan				
B116	<p>Six months prior to operation, the Applicant must prepare an Emergency Response Plan, in consultation with FRNSW and NSW Police Force.</p> <p>The Emergency Response Plan must include, but not be limited to:</p> <ul style="list-style-type: none"> a) protocols and procedures to be followed during emergency situations associated with the operation of the project (including fires and explosions). The protocols and procedures are to take into account the needs of people with a disability or who may experience access problems in emergency situations; b) details of traffic management measures to be implemented during emergencies, where appropriate, to minimise the potential for escalation of the emergency; c) design and management measures to address the potential environmental impacts of an emergency situation, including measures for containment of contaminated fire-fighting water, fuel spills and gaseous combustion products; and d) details of a training and testing program to ensure that all operational staff are familiar with the Emergency Response Plan. 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
WASTE MANAGEMENT				
Construction and demolition waste management				
B117	All waste generated by the project must be assessed, classified and managed in accordance with the <i>Waste Classification Guidelines Part 1: Classifying Waste EPA 2014</i> .	<p>Construction Demolition Waste Management Plan Rev 13, 18/8/2022 by SIMTA</p> <p>Environmental Waste Disposal Register from 1/12/2021 to 31/10/2024, BMD</p> <p>Waste classification reports, JBS&G 31/5/2023, stockpile 210 with Asbestos contaminated dirt</p>	<p>Waste generated during construction is pre-classified under the Waste Classification Guidelines as GSW. Asbestos waste (including that in soils) is pre-classified under the Waste Classification Guidelines as Special Waste.</p> <p>The Contaminated Sites Auditor assessed material types through review of detailed site investigations, validation reports and has issued Site Audit Statements verifying that the site has been remediated refer to B119 and B130.</p> <p>The Environmental Waste Disposal Register, covering the period from 1/12/2021 to 31/10/2024, was provided by the auditees. It includes details such as dates, disposal company, waste description, NSW waste classification, quantity, and destination.</p> <p>Most of waste has been asphalt and concrete, and material pre-classified has been disposed in a licenced facility and in accordance with the Guidelines.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B118	Prior to the commencement of early works, the Applicant must prepare a Construction and Demolition Waste Management Plan for the development to the satisfaction of the Secretary. The plan must form part of the CEMP required by condition C1 and must detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations.	Construction Demolition Waste Management Plan Rev 13, 18/8/2022 by SIMTA Letter from DPHI, 18/12/2023 approval of plan Rev.13	A Construction and Demolition Waste Management Plan has been prepared to address the requirements of this condition. This plan was approved by DPHI on 01/06/18 and Rev. 13 approved 18/12/2023.	C
B119	The Applicant must: a) not commence construction until the Construction and Demolition Waste Management Plan is approved by the Secretary; and b) carry out the development in accordance with the most recent version of the Construction and Demolition Waste Management Plan approved by the Secretary.	Construction Demolition Waste Management Plan Rev 13, 18/8/2022 by SIMTA Letter from DPHI, 18/12/2023 approval of plan Rev.13 Environmental Waste Disposal Register from 1/12/2021 to 31/10/2024, BMD Site Audit Statement, 0301-1613-6, Enviroview, 21/07/20 Site Audit Statement, 0301-1613-9, Enviroview, 07/02/2023 Letter DPHI to LOGOS dated 17/05/24, re. Receipt of Site Audit Statement and Site Audit Report. Waste classification reports, JBS&G 31/5/2023, stockpile 210 with Asbestos contaminated dirt	Waste generated during construction is pre-classified under the Waste Classification Guidelines as GSW. Asbestos waste (including that in soils) is pre-classified under the Waste Classification Guidelines as Special Waste. The Contaminated Sites Auditor assessed material types through review of detailed site investigations, validation reports and has issued Site Audit Statements verifying that the site has been remediated. Most of waste has been asphalt and concrete, and material pre-classified has been disposed in a licenced facility and in accordance with the Guidelines. Sighted Site Audit Statement (SAS) from NSW EPA for: - IMEX, 15/8/2019 - Lot 22, 15/10/2019 - Lot 23, 21/07/2020 Sighted Site Audit Report (SAR) from Enviroview for: - IMEX, 15/8/2019, Rev. Final - Lot 22, 15/10/2019, Rev. Final - Lot 23, 27/07/2020, Rev. Final	C
Operational waste management				
B120	Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development to the satisfaction of the Secretary. The Waste Management Plan must form part of the OEMP required by condition C3 and be prepared in accordance with condition C7. The Plan must: a) detail the type and quantity of waste to be generated during operation of the development; b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014) (as may be updated or replaced from time to time); c) detail the materials to be reused or recycled, either on or off site; and d) include the Management and Mitigation Measures included in APPENDIX B.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
B121	Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site or be deposited on or otherwise enter neighbouring public or private properties.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
Statutory requirements				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B122	All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.	Environmental Waste Disposal Register from 1/12/2021 to 31/10/2024, BMD Waste classification reports, JBS&G 31/5/2023, stockpile 210 with Asbestos contaminated dirt	Most of waste has been asphalt and concrete, and material pre-classified has been disposed in a licenced facility and in accordance with the Guidelines. It was noted that Site Audit Reports and Site Audit Statements were issued and they did not identify any significant issues associated with material disposal. Refer to B119 and B130.	C
B123	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's <i>Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014)</i> .	Waste classification reports, JBS&G 31/5/2023, stockpile 210 with Asbestos contaminated dirt	Note that the Waste Classification Guidelines Part 1, does not deal with anything other than classification. Refer B117, B119 The auditor notes that construction activities during the audit period were minimal and thus the classification of liquid and non-liquid wastes is limited to the classification of stockpile 210. This has yet to be taken offsite.	C
B124	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal unless it satisfies these conditions.	MPE 2022 Impot Register, CARAS MPE 2023 Impot Register, CARAS M6 Stage 1 (Hard Ground) Tunnel Spoil RRO Compliance Report from ADE Consulting Group, 2/3/2022 V1f M6 Stage 1 (Hard Ground) Tunnel Spoil RRO Compliance Report from ADE Consulting Group, 24/10/2022 V1f M6 Stage 1 (Hard Ground) Tunnel Spoil RRO Compliance Report from ADE Consulting Group, 25/10/2022 V1f VENM Classification Report, 5 Uhrig Road, Lidcombe NSW from eiaustralia, 19/01/2022 WTP Tunnelling Spoil Assessment – Westmead Station from epic environmental, 1/2/2023	The Applicant indicated that MPE Stage 2 has no received any waste from other projects, only received VENM and ENM. According to the material import sheet for 2022 sandstone (tunnel spoil) was the material imported between 12 August 2022 to 7 September 2022. The material was sourced from M6S1 – C1 tunnelling projects. The material is approved for reuse by the EPA through issue of specific Resource Recovery Orders. The auditee provided sample reports to demonstrate that assessments had been carried out on the material to confirm it met the requirements of the exemptions and orders. During 2023 sandstone and black shale material was imported on the 9 June 2023. The material was sourced from Metro WC – Five Dock East, Burwood, Five Dock West and Olympic Park; M6 Stage 1 – C2 Rockdale, Metro WW – Burwood and Westmead. The Contaminated Sites Auditor reviewed material import classifications and record keeping and determined the evidence to adequately demonstrate import consistent with this condition.	C
B125	The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA	Waste classification reports, JBS&G 31/5/2023, stockpile 210 with Asbestos contaminated dirt Monthly Waste Report from Aussie Skips, August 2024 (combined MPE and MPW)	Waste classification and associated reports for remediation have been retained. The auditees advise that monthly contractor progress reports include records for disposal of general construction waste. Sighted Monthly Waste Report from Aussie Skips, August 2024 (combined MPE and MPW); the BM Tracker will indicate the specifics for MPE. Sighted reports from Jan-Aug 2024. Presented waste classification report from JBS&G dated 31/5/2023, stockpile 210 with Asbestos contaminated dirt.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B126	The collection of waste generated during operation of the development must be undertaken between 7 am to 10 pm Monday to Friday.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
Pests, vermin and noxious weed management				
B127	<p>The Applicant must:</p> <ul style="list-style-type: none"> a) take all reasonable steps to manage pests and vermin on the site; b) manage declared noxious weeds on the site in accordance with the requirements of the Noxious Weeds Act 1993; and c) inspect the site on a regular basis, no less than every 3 months, to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area. <p><i>Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.</i></p>	<p>Pre-Clearing Survey Report (including weed mapping), Narla, 19/11/19</p> <p>Weed Inspection Reports, BMD, April 2020 – October 2021 (x7)</p> <p>Weekly WHSE Inspection 7/11/2024, weeds - none identified</p> <p>Weed Inspection December 2023 by BMD</p> <p>Weed Inspection March 2024 by BMD</p>	<p>Weeds are identified during pre-clearing surveys and managed accordingly. Ongoing weed inspections form part of contractor's routine inspections.</p> <p>A Weed Inspection Report was prepared by BMD for inspections conducted between October to December 2023. The report noted that noxious weeds, vermin, and pest species do not pose an environmental hazard, cause a loss of amenity in the surrounding area, or require immediate control.</p> <p>A Weed Inspection Report was prepared by BMD for inspections conducted between January to March 2024. The report noted that noxious weeds, vermin, and pest species do not pose an environmental hazard, cause a loss of amenity in the surrounding area, or require immediate control.</p>	C
Contamination				
B128	The Applicant must provide the NSW EPA with a copy of all reports to date relating to the assessment of per- and poly-fluoroalkyl substances including perfluorooctanoate (PFAS) undertaken for the Site within 3 months of this consent.	-	Refer Independent Audit No. 1. Sighted B128 report dated 22/02/18.	NT
B129	Prior to the commencement of early works or construction on site, the Applicant must engage a Site Auditor accredited under the EPA <i>Contaminated Land Management Act 1997</i> NSW Site Auditor Scheme.	-	Refer Independent Audit No. 1. The site auditor was endorsed by the EPA on 15/02/18 and has been retained throughout.	C
B130	<p>Prior to an occupation certificate being issued, the Applicant must submit to the Secretary a Site Audit Statement, prepared in accordance with the <i>NSW Contaminated Land Management – Guidelines for the NSW Site Auditor Scheme (3rd edition, 2017)</i>, which demonstrates that the site is suitable for its intended land use (i.e. Section 'A').</p> <p>The Site Auditor must consider the most up to date PFAS guidance.</p>	<p>Site Audit Statement, 0301-1613-6, Enviroview, 21/07/20</p> <p>Site Audit Statement, 0301-1613-9, Enviroview, 07/02/2023</p> <p>Letter DPPI to LOGOS dated 17/05/24, re. Receipt of Site Audit Statement and Site Audit Report.</p>	<p>This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p> <p>Sighted Site Audit Statement (SAS) from NSW EPA for:</p> <ul style="list-style-type: none"> - IMEX, 15/8/2019 - Lot 22, 15/10/2019 - Lot 23, 21/07/2020 <p>Sighted Site Audit Report (SAR) from Enviroview for:</p> <ul style="list-style-type: none"> - IMEX, 15/8/2019, Rev. Final - Lot 22, 15/10/2019, Rev. Final - Lot 23, 27/07/2020, Rev. Final 	C
B131	If the Site Auditor determines that further assessment of PFAS is required to adequately assess the site in accordance with the current guidance "Designing Sampling Programs for Sites Potentially Contaminated by PFAS (EPA 2016), the assessment(s) are to be completed and submitted to the EPA within 6 months of granting of consent	<p>Site Audit Statement, 0301-1613-3, Enviroview, 13/08/19</p> <p>Site Audit Statement, 0301-1613-2, Enviroview, 09/10/18</p>	<p>The auditees advise that no further PFAS assessment was required. The Contaminated Sites Auditor issued Site Audit Statements confirming that the sites had been remediated and do not pose unacceptable on-site or off-site risks.</p> <p>During the audit period the Site Auditor has not determined this is required.</p>	NT

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		<p>Site Audit Statement, 0301-1613-4, Enviroview, 15/10/19</p> <p>Site Audit Statement, 0301-1613-6, Enviroview, 21/07/20</p> <p>Interview with auditees 2/12/24</p>		
B132	Should the Applicant identify a potential risk to off-site receptors due to PFAS contamination, the Applicant must contact the NSW EPA as soon as practicable to discuss requirements for community consultation and long-term management.	<p>Site Audit Statement, 0301-1613-3, Enviroview, 13/08/19</p> <p>Site Audit Statement, 0301-1613-2, Enviroview, 09/10/18</p> <p>Site Audit Statement, 0301-1613-4, Enviroview, 15/10/19</p> <p>Site Audit Statement, 0301-1613-6, Enviroview, 21/07/20</p> <p>Interview with auditees 15/21/21</p>	<p>The auditees advise that no further PFAS assessment was required. The Contaminated Sites Auditor issued Site Audit Statements confirming that the sites had been remediated and do not pose unacceptable on-site or off-site risks.</p> <p>No potential offsite has been determined during the audit period.</p>	NT
B133	Prior to any demolition on the site, and entry and any subsurface activities within the southern burial pits, an UXO, EO and EOW Site Assessment Survey must be undertaken by an UXO contractor listed on the Defence Panel of suitably qualified UXO consultants and contractors and submitted to the Secretary.	-	<p>Refer Independent Audit No. 1. G-tek Australia Pty Limited (G-tek) reviewed previous reports and activities with particular emphasis on the potential for remnant unexploded ordnance (UXO), explosive ordnance (EO) and explosive ordnance waste (EOW) within the overall Site and the area referred to as the "southern burial pits". Letter dated 15 January 2018 indicated that that no additional UXO, EO or EOW Site Assessment Surveys are required within the southern burial pits area is required prior to any demolition, entry or subsurface activities within the area.</p> <p>This was submitted to DPHI as part of the CMP and approved on 30/05/18.</p>	NT
B134	<p>Prior to early works and fill importation, a Contamination Management Plan must be prepared to the satisfaction of the Secretary and form part of the CEMP required under condition C1. The Contamination Management Plan is to be based on the Environmental Management Plan prepared by GHD (2016) and results of the UXO, EO and EOW Site Assessment Survey and must take into account additional risks posed by the proposed works and in particular:</p> <ul style="list-style-type: none"> a) excavation within the southern burial pits; b) removal/remediation of underground storage tanks; c) disturbance of soil containing asbestos material; and d) demolition of buildings containing asbestos materials. 	<p>Contamination Management Plan, Stage 2 Moorebank Precinct East, EP Risk, 17/04/18 revised 22/2/2022 (Rev.11)</p> <p>DPHI letter 10/8/2022 approved of Rev.11 of CMP</p> <p>Contamination Management Plan, Moorebank Avenue Upgrade Works, EP Risk, 26/05/21</p>	<p>A staged Contamination Management Plan was initially approved on the 30/05/18. The CMP contains the required information. Plan was last updated on the 22/2/2022 (Rev.11)</p>	C
B135	<p>The Contamination Management Plan must include:</p> <ul style="list-style-type: none"> a) an UXO, EO and EOW management and remediation plan, prepared by a qualified person(s) listed on the Defence Panel; b) an Asbestos Management Plan; and c) Unexpected Finds Procedure. 	<p>Contamination Management Plan, Stage 2 Moorebank Precinct East, EP Risk, 17/04/18 revised 22/2/2022 (Rev.11)</p> <p>DPHI letter 10/8/2022 approved of Rev.11 of CMP</p>	<p>A staged Contamination Management Plan was initially approved on the 30/05/18. The CMP contains the required information. Plan was last updated on the 22/2/2022 (Rev.11)</p>	C

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	The Contamination Management Plan must be approved by a NSW EPA Accredited Site Auditor prior to submission to the Secretary.	Contamination Management Plan, Moorebank Avenue Upgrade Works, EP Risk, 26/05/21		
B136	Following demolition, a supplementary UXO, EO and EOW Site Assessment Survey is to be undertaken and an updated Contamination Management Plan is to be prepared to the satisfaction of the Secretary to address any additional contamination issues identified. Remediation works must only be carried out by suitably qualified and experienced contractor(s) including a contractor listed on the Defence Panel in the case of UXO, EO and EOW.	Contamination Management Plan, Stage 2 Moorebank Precinct East, EP Risk, 17/04/18 revised 22/2/2022 (Rev.11) DPHI letter 10/8/2022 approved of Rev.11 of CMP Contamination Management Plan, Moorebank Avenue Upgrade Works, EP Risk, 26/05/21	A staged Contamination Management Plan was initially approved on the 30/05/18. The CMP contains the required information. Plan was last updated on the 22/2/2022 (Rev.11) No demolition works were carried out during the audit period.	NT
B137	Details of any containment cells located on the site following remediation shall be provided to the Secretary, including relevant GPS data on the extent of the cell and details of the long-term management of the cells.	Interview with auditees 2/12/2024	There are no containment cells on MPE2.	NT
B138	All containment cells located on the site following remediation shall be registered on title including, details of relevant Contamination Management requirements.	Interview with auditees 2/12/2024	There are no containment cells on MPE2.	NT
URBAN DESIGN, VISUAL AMENITY AND LANDSCAPE				
Urban heat island mitigation strategy				
B139	Prior to commencement of permanent built surface works and/or landscaping, or as otherwise agreed by the Secretary, an Urban Heat Island (UHI) Mitigation Strategy must be prepared and submitted to the Secretary for approval, in consultation with the NSW Government Architect. The UHIMS must be prepared by a suitably qualified and experienced person(s). The UHI Mitigation Strategy must a) review the current architectural details, building layout, landscaping provision, shading provision, landscape irrigation, stormwater water detention and WSUD, as well as building and paving material specifications; b) make recommendations to mitigate the UHI effects generated by the development including but not limited to: i. provision of WSUD elements; ii. street tree planting; iii. landscape coverage and screening; iv. use of building material including reflectivity; v. use of pavement material including reflectivity; vi. improved green space maintained by independent, climate resilient water supplies, to achieve increased amenity and urban cooling; and vii. heat generation from operations; and c) include a design strategy with the goal to achieve a 4°C degree decrease in temperature compared to neighbouring industrial developments; d) details of where and how recommendations from the UHI Mitigation Strategy have been incorporated into the: i. updated final Development Layout Plans and WSUD Plans required by conditions	Urban Heat Island Mitigation Strategy, Moorebank Precinct East Stage 2, 11/06/19. Letter DPHI to Qube, 21/06/19	The UHIMS was prepared in accordance with this condition and was approved by the Department in 2019 subject to incorporating its recommendations into the UDLP. Refer B140 regarding approval of the UDLP.	C

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	A22 and A23; ii. updated final architectural details required by condition A24; iii. UDLP required by condition B140; iv. CEMP required by condition C1; and v. OEMP required by condition C3.			
Urban design and landscape plan				
B140	<p>Prior to commencement of permanent built surface works and/or landscaping, or as otherwise agreed by the Secretary, an Urban Design and Landscape Plan (UDLP) must be prepared. The UDLP must be prepared by a suitably qualified and experienced person(s), in consultation with the relevant council(s). The UDLP must be approved by the Secretary, in consultation with the NSW Government Architect. The UDLP must present an integrated urban and landscape design for the development, and must include, but not be limited to:</p> <ul style="list-style-type: none"> a) identification of design objectives, principles and standards based on – <ul style="list-style-type: none"> i. local environmental values, ii. urban design context, iii. sustainable design and maintenance, iv. community, visitor and worker safety, amenity and privacy, including 'safer by design' principles where relevant, v. relevant design standards and guidelines, vi. addressing the visual amenity and values of adjoining receivers, vii. minimising and addressing the footprint of the project (including at operational facilities), and viii. the urban design principles outlined in the documents referred to in condition A2; b) landscaping and building design opportunities to mitigate the visual impacts of buildings and infrastructure particularly when viewed from Moorebank Avenue, Wattle Grove, and Casula); c) details on the location of existing vegetation and proposed landscaping (including use of endemic and advanced tree species where practicable). Details of species to be replanted/revegetated must be provided, including their appropriateness to the area and habitat for threatened species. Where feasible and reasonable, top soil and vegetation to be removed must be reused; d) details of pedestrian movement through the site and to surrounding areas for employees; e) incorporate the following: <ul style="list-style-type: none"> i. a minimum landscaped width of 10m within the 18m setback from Moorebank Avenue; ii. the footprint of the warehouses along the eastern boundary must be reduced so that the car parking area and warehouse can be setback a minimum of 5m from the eastern internal road to provide visual screening of the building, and adequate landscape width to support canopy trees; iii. landscaping located around the car parking areas is to support sufficient canopy trees to provide visual screening to the warehouse buildings; iv. 15% of the site landscaped at ground level, 10% of which must include soft 	<p>Consolidated Urban Design and Landscape Plan (UDLP), Rev. 12, 18/12/2020 and Urban Design and Landscape Plan MPES2, Rev.13, 13/10/2022</p> <p>Cycling and Pedestrian Access and Facilities Sub Plan, 03/11/20</p> <p>Landscape Vegetation Management Sub Plan, 03/11/20</p> <p>Lighting Sub Plan, 03/11/20</p> <p>Employee Outdoor Meal Break Area Sub Plan, 03/11/20</p> <p>Signage Sub Plan, 03/11/20</p> <p>Letter DPHI to Qube, 05/02/21 (approval of UDLP and associated docs)</p> <p>Email to DPHI 12/12/2022, re-submission of the UDLP Rev.13</p> <p>Post Approval Form No. PA-189</p>	<p>The Consolidated Urban Design and Landscape Plan, Cycling and Pedestrian Access and Facilities Sub Plan, Landscape Vegetation Management Sub Plan, Lighting Sub Plan, Employee Outdoor Meal Break Area Sub Plan and the Signage Sub Plan were all approved by DPHI on the 5/2/2021. The approval was conditional on the basis that the UDLP and associated sub-plans were updated prior to the construction of permanent built surface works for each future stage. No further works have occurred at this time.</p> <p>The Consolidated Urban Design and Landscape Plan (UDLP), Rev. 12, 18/12/2020 was then updated to Urban Design and Landscape Plan MPES2, Rev.13 on the 13/10/2022. Rev.13 was submitted to DPHI for information; then responded to the DPHI RFI and re-submitted on the 12/12/2022.</p> <p>In a letter dated 5/02/2024, the DPHI approved the consolidated Urban Design and Landscape Plan (UDLP) which includes architectural plans. It was noted that an updated UDLP and Sub-Plans must be resubmitted, reflecting the detailed design for each future stage, prior to the commencement of permanent built surface works and/or landscaping for each stage, unless otherwise agreed by the Planning Secretary. The Department may require to seek the Planning Secretary's approval of the UDLP and relevant Sub-Plans if the 'for information' submission does not meet the conditions of consent.</p>	C

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	<p>landscaping and not include land set aside for future access ways;</p> <ul style="list-style-type: none"> v. minimum rate of 1 canopy tree per 30m² of landscaped area; vi. a 2.5 m wide landscaped bay every 6-8 car spaces incorporating canopy trees for shade with the exception of Area 1 as identified in the UDLP; vii. perimeter site screening using advanced shrubs and canopy trees; viii. perimeter and on-site detention and biofiltration/bioretention basin fences higher than 1.2m must be transparent and dark in colour but not constructed of chain wire. <ul style="list-style-type: none"> f) include a planting schedule including details of the soil specification and depth and irrigation systems as well as tree and shrub species, expected mature height, pot sizes and planting densities) and deep soil areas containing soil (not spoil); g) a description of the retaining walls, including the graphics such as sections, perspective views and material details; h) details of the landscaped areas and solid fencing required to screen waste bin or other outside storage areas; i) graffiti management commitments and provisions; j) the sub-plans identified in condition B141; k) details of where and how recommendation from the UDLP and sub plans have been incorporated into the: <ul style="list-style-type: none"> i. updated final Development Layout Plans and WSUD Plans required by conditions A22 and A23; ii. updated Architectural Plans required by condition A24, including architectural elements to articulate building facades and minimise large expanses of blank walls iii. updated OEMP required by condition C3; l) details of how the principles of Ecologically Sustainable Development listed at condition B142, in particular rainwater capture and reuse and energy efficiency have been incorporated into the UDLP and final Stormwater Management Plan plans required by Condition B40 m) details how the Heritage Interpretation Plan required by condition B101 has been incorporated into the UDLP; n) details of how the UHI Mitigation Strategy required by condition B140 has been incorporated into the UDLP and final Development Layout, Stormwater Management Plan and Architectural Details; o) details of where and how recommendations from the Construction Flora and Fauna Management Plan for adjoining the offset area (condition B108) and the requirements of conditions B140(e) and (f) have been incorporated into the UDLP, p) details of where and how recommendations from the Bushfire Management Plan (condition B144) have been incorporated into the UDLP, q) details of where and how employee facilities including but not limited to secure bicycle parking, pedestrian paths, outdoor eating areas have been incorporated into the UDLP; and r) evidence of consultation with the Relevant Council(s), prior to finalisation of the UDLP. <p>The UDLP must be implemented prior to occupation of the warehouse and freight village, unless otherwise agreed by the Secretary.</p> <p><i>Note:</i></p>			

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	<p><i>The UDLP may be submitted in parts to address the built elements of the development and landscaping aspects of the development.</i></p>			
B141	<p>The Urban Design and Landscape Plan must include the following sub-plans:</p> <p>a) a Landscape Vegetation Management Sub Plan to assist in the monitoring and maintenance of landscape elements required to be delivered as part of the approval. The Plan must be prepared and approved by the Secretary within twelve months of the date of this approval, unless otherwise agreed by the Secretary.</p> <p>The Plan must provide details of the monitoring and maintenance procedures for the landscape vegetation elements, rehabilitated vegetation and landscaping (including weed and pathogen control) including performance indicators, identification of commitments, identification of the responsibilities of each entity involved in the management of the intermodal precinct including the overarching management responsibilities and obligations for common land and tenant responsibilities, timing and duration, as well as contingencies where rehabilitation of vegetation and landscaping measures fail.</p> <p>The approved plan must be implemented prior to occupation of the warehouse and freight village.</p> <p>b) Lighting Sub Plan to assist in the control of lighting and reduce the visual impact of the 24-hour operational facility when viewed from residents within residential areas within the locality. The Plan must provide an assessment of the location, design specification and impacts of operational lighting associated with the development and measures proposed to minimise lighting impacts and standardise lighting design within the MPE development. The Plan must be prepared and approved by the Secretary. The Applicant must ensure that the lighting associated with the development:</p> <ol style="list-style-type: none"> i. complies with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); ii. is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network; and iii. is designed to reduce light spill and mitigate the visual impact of the 24-hour facility when viewed from the residential areas in the locality and the Boot Land. <p>c) The Lighting Sub Plan must identify and provide details of the common and individual lighting throughout the development to reduce light spill and mitigate visual impact on the residential areas in the locality by:</p> <ol style="list-style-type: none"> i. eliminating upward spill light; ii. directing light downwards, not upwards; iii. using shielded fittings; iv. avoiding 'over' lighting; v. switching lights off when not required; vi. using energy efficient bulbs; vii. using asymmetric beams, where floodlights are used; viii. ensuring lights are not directed towards reflective surfaces; and ix. using warm white colours. <p>The approved plan must be implemented prior to occupation of the warehouse and freight village.</p>	<p>Consolidated Urban Design and Landscape Plan (UDLP), Rev. 12, 18/12/2020 and Urban Design and Landscape Plan MPES2, Rev.13, 13/10/2022</p> <p>Cycling and Pedestrian Access and Facilities Sub Plan, 03/11/20</p> <p>Landscape Vegetation Management Sub Plan, 03/11/20</p> <p>Lighting Sub Plan, 03/11/20</p> <p>Employee Outdoor Meal Break Area Sub Plan, 03/11/20</p> <p>Signage Sub Plan, 03/11/20</p> <p>Letter DPHI to Qube, 05/02/21 (approval of UDLP and associated docs)</p> <p>Email to DPHI 12/12/2022, re-submission of the UDLP Rev.13</p> <p>Post Approval Form No. PA-189</p>	<p>The Consolidated Urban Design and Landscape Plan, Cycling and Pedestrian Access and Facilities Sub Plan, Landscape Vegetation Management Sub Plan, Lighting Sub Plan, Employee Outdoor Meal Break Area Sub Plan and the Signage Sub Plan were all approved by DPHI on the 5/2/2021. The approval was conditional on the basis that the UDLP and associated sub-plans were updated prior to the construction of permanent built surface works for each future stage. No further works have occurred at this time.</p> <p>The Consolidated Urban Design and Landscape Plan (UDLP), Rev. 12, 18/12/2020 was then updated to Urban Design and Landscape Plan MPES2, Rev.13 on the 13/10/2022. Rev.13 was submitted to DPHI for information; then responded to the DPHI RFI and re-submitted on the 12/12/2022.</p> <p>In a letter dated 5/02/2024, the DPHI approved the consolidated Urban Design and Landscape Plan (UDLP) which includes architectural plans. It was noted that an updated UDLP and Sub-Plans must be resubmitted, reflecting the detailed design for each future stage, prior to the commencement of permanent built surface works and/or landscaping for each stage, unless otherwise agreed by the Planning Secretary. The Department may require to seek the Planning Secretary's approval of the UDLP and relevant Sub-Plans if the 'for information' submission does not meet the conditions of consent.</p>	C

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	<p>d) Cycling and Pedestrian Access and Facilities Sub Plan to assist in safe cycling and pedestrian connectivity through the MPE precinct by providing dedicated linkages between the warehouses, the freight village and Moorebank Avenue that will contribute to the quality and safety of the pedestrian and cyclist environment associated with the development. The Plan must be prepared by a suitably qualified and experienced person(s) and approved by the Secretary within twelve months of the date of this approval, unless otherwise agreed by the Secretary.</p> <p>The Plan must be prepared by a suitably experienced and qualified person(s) in the design and provision of Cycling and Pedestrian Access and Facilities. The Plan must detail the construction, timing and responsibility for the delivery of Cycling and Pedestrian Access and Facilities and take into account the following considerations:</p> <ul style="list-style-type: none"> i. all relevant policies, guidelines and plans; ii. provide details for the provision of safe and efficient pedestrian and cyclist access connectivity within the development and include integration with the existing and future pedestrian and cycling access in the locality; iii. provide details of end of trip facilities available on-site at each warehouse which are to include under cover bike storage, showers and change facilities sufficient to accommodate the needs of the forecast number of employee; and iv. the layout, design and security of bicycle facilities must comply with the minimum requirements of <i>Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities</i>. <p>The approved plan must be implemented prior to occupation of the warehouse and freight village</p> <p>e) Employee Outdoor Meal Break Area sub plan to provide employee amenity associated with the development. The Plan must identify and facilitate the construction and establishment of employee outdoor meal break area and be prepared by a suitably experienced and qualified person(s) and submitted to the Secretary for approval.</p> <p>The Plan must be prepared by a suitably experienced and qualified person(s) in the design and provision of outdoor open space. The Plan must detail the construction, timing and responsibility for the delivery and maintenance of an individual employee outdoor meal break areas for each warehouse and a communal employee/visitor eating area at the freight village and take into account the following considerations:</p> <ul style="list-style-type: none"> i. all relevant policies, guidelines and plans; ii. the type of facilities to be provided having regard to forecast future employee and visitor needs; iii. provide detail of the siting and design of outdoor eating areas including seating, lighting, paving, landscaping, screening, shading, vermin proof waste storage and security; and iv. include details of the maintenance and waste collection responsibilities. <p>Where it can be demonstrated to the satisfaction of the Secretary, that an outdoor break area cannot be accommodated on site for each warehouse, an internal eating/sitting area is to be provided within each warehouse and details provided within this subplan.</p> <p>The approved plan must be implemented prior to occupation of the warehouse and freight village.</p> <p>f) Signage Sub Plan to assist in the management of individual building, wayfinding and common directory signage associated with the development. The Plan must be prepared</p>			

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	<p>by a suitably experienced and qualified person(s). and submitted to the Secretary for approval.</p> <p>The Plan must detail the design, illumination, construction, timing and responsibility for the delivery and maintenance of individual building and common directory signage and take into account the following considerations:</p> <ul style="list-style-type: none"> i. provision of wayfinding signage for internal streets to individual buildings and loading docks; ii. individual building signage integration within building forms no higher than 3m above the finished ground; iii. no general advertising; iv. no form of moving or flashing signs; v. no east or south facing illuminated building signage is to be visible from residences; vi. signs are to display corporate logos and company names and must not to occupy more than 10% of any façade or wall of building; and vii. internally illuminated signs that are visible from residences are not permitted. <p>The approved common directory board and wayfinding signs plan must be implemented prior to occupation of the warehouse and freight village.</p>			
B141A	No east or south facing illuminated building signage is to be visible from residences, and internally illuminated signs that are visible from residences are not permitted.	<p>Consolidated Urban Design and Landscape Plan, 18/12/20</p> <p>Lighting Sub Plan, 03/11/20</p> <p>Signage Sub Plan, 03/11/20</p> <p>Letter DPHI to Qube, 05/02/21 (approval of UDLP and associated docs)</p> <p>Email to DPHI 12/12/2022, re-submission of the UDLP Rev.13</p>	This requirement is captured in the signage sub-plan, dated 03/1/2020.	C
Ecologically sustainable development				
B142	<p>Warehouses and the freight village must be designed and operated to meet ESD principles including:</p> <ul style="list-style-type: none"> a) passive solar design; b) use of energy efficient plant and equipment; c) use of renewable energy sources; d) cross-ventilation e) selection of materials with lower energy manufacturing requirements; f) use of locally sourced materials to reduce impacts associate with transport; g) rainwater capture and reuse; h) water efficient fixtures and fittings; and i) waste minimisation and recycling. 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
Bushfire management				

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B143	<p>Before the commencement of construction, the Applicant must ensure that a Bushfire Emergency and Evacuation Plan is prepared. The Plan must form part of the CEMP and OEMP required by conditions C1 and C3 and must:</p> <ol style="list-style-type: none"> be prepared by a suitably qualified and experienced person(s); be consistent with the Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan, December 2014 and Australian Standard AS3745 2010 Planning for Emergencies in Facilities; and a copy of the plan must be submitted to the Secretary, NSW Rural Fire Service, Council and the Certifying Authority prior to occupation. 	-	Refer Independent Audit No. 1. A Bushfire Emergency and Evacuation Plan has been prepared to address the requirements of this condition. This was approved by DPHI on 08/06/18.	NT
B144	<p>The entire site must be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of the <i>Planning for Bush Fire Protection 2006</i> and the NSW Rural Fire Service's document <i>Standards for asset protection zones</i>. An updated Bushfire Management Plan must be prepared by a suitably qualified person(s) having regard to the amended final plans and demonstrating that the bushfire asset protection zones can be contained wholly within the site boundary and that management of the inner protection zone will not impact on the Boot Land. The Bushfire Management Plan must be approved by the RFS and submitted to the Secretary prior to construction of permanent access or buildings, unless otherwise agreed by the Secretary.</p>	<p>Operational Emergency Response Plan, SIMTA, 26/03/20 (the OERP)</p> <p>Letter DPHI to Qube, 10/12/19 (approval of OERP [B116], inclusive of BEEMP [B143], BMP [B144] and FERP [B52])</p> <p>Letter DPHI to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p> <p>Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/21 (the BEEMP)</p> <p>Letter DPHI to Qube, 10/08/20 (approval of revised BEEMP)</p> <p>Letter Blackash to Arcadis, 27/01/21 (review of APZs)</p> <p>Construction Bushfire Management Plan MPE Stage 2 Rev 10, 6/08/2020 by SIMTA</p>	<p>The OERP and BEEMP were prepared to address this condition. They were initially approved by the Department on 10/12/19. On 08/04/20 the Department confirmed that it is satisfied with the OEMP (including Heritage), OWRMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS are consistent with the POPD approved by the Department on 21/05/19 and reflect the next stage in the progressive roll-out of operations across the Moorebank Precinct East site. On 10/08/20 the Department approved the revised BEEMP.</p> <p>The Bushfire consultant reviewed the APZs and confirmed that the Development will achieve Bushfire Attack Level (BAL) 12.5, or BAL 19 which is well above the deemed to satisfy requirements of PBP 2006.</p> <p>Construction Bushfire Management Plan MPE Stage 2 was last updated to Rev.10, dated 6/08/2020 by SIMTA. The revision includes Minor updates associated with RfMA-018 – MAUW boundary change and SSD 7628-Mod 2 approval.</p>	C
B145	<p>Public road access must comply with section 4.1.3(1) of <i>Planning for Bush Fire Protection 2006</i> except for the requirement for through-access.</p>	Site inspection 4/12/2024	There is no public road access through the construction site, with the exception of through access on Moorebank Ave. Refer B144.	C
B146	<p>The provision of water, electricity and gas must comply with section 4.1.3 of <i>Planning for Bush Fire Protection 2006</i>.</p>	<p>Operational Emergency Response Plan, SIMTA, 26/03/20 (the OERP)</p> <p>Letter DPHI to Qube, 10/12/19 (approval of OERP [B116], inclusive of BEEMP [B143], BMP [B144] and FERP [B52])</p> <p>Letter Blackash to Arcadis, 27/01/21 (review of APZs)</p>	<p>The OERP and BEEMP were prepared to address this condition. They were initially approved by the Department on 10/12/19.</p> <p>The Bushfire consultant reviewed the APZs and confirmed that the Development will achieve Bushfire Attack Level (BAL) 12.5, or BAL 19 which is well above the deemed to satisfy requirements of PBP 2006.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Ancillary facilities				
B147	<p>Ancillary facilities that are not identified by description and location in the documents listed in A2 must not be constructed unless they satisfy the following criteria:</p> <ol style="list-style-type: none"> a. the facility is development of a type that would, if it were not for the purpose of the development, otherwise be exempt or complying development; or b. the facility is located as follows: <ol style="list-style-type: none"> i. at least 50 metres from any waterway unless an erosion and sediment control plan is prepared and implemented so as not to affect water quality in the waterway in accordance with Managing Urban Stormwater series; ii. within or adjacent to land upon which the development is being carried out; iii. with ready access to a road network; iv. so as to avoid the need for heavy vehicles to travel on local streets or through residential areas in order to access the facility; v. on level land; vi. so as to be in accordance with the INCG (DECC 2009) or as otherwise agreed in writing with affected landowners and occupiers; vii. so as not to require vegetation clearing beyond the extent of clearing approved under other terms of this approval except as approved by the ER as minor clearing; viii. so as not to have any impact on heritage items (including areas of archaeological sensitivity) beyond the impacts identified, assessed and approved under other terms of this approval; ix. so as not to affect lawful uses of adjacent properties that are being carried out at the date upon which construction or establishment of the facility is to commence; x. to enable operation of the ancillary facility during flood events and to avoid or minimise, to the greatest extent practicable, adverse flood impacts on the surrounding environment and other properties and infrastructure; and xi. so as to have sufficient area for the storage of raw materials to minimise, to the greatest extent practicable, the number of deliveries required outside standard construction hours. 	<p>Construction Environmental Management Plan Moorebank Precinct East Stage 2, SIMTA, 25/09/2023 (Rev.18) (and subordinate Sub-plans) by SIMTA</p> <p>Interview with auditees 02/12/2024 and Site inspection 4/12/2024</p> <p>ER Monthly Reports, from Pitt & Sherry:</p> <ul style="list-style-type: none"> - 1-31/1/24, dated 9/2/24 - 1-29/2/24, dated 7/3/24 - 1-31/3/24, dated 11/4/24 - 1-30/4/24, dated 1/5/24 - 1-31/5/24, dated 7/6/24 - 1-30/6/24, dated 10/7/24 - 1-31/7/24, dated 6/8/24 - 1-31/8/24, dated 3/9/24 - 1-30/9/24, dated 14/10/24 - 1-31/10/24, dated 13/11/24 	<p>The CEMP section 1.6.1.3 outlines the procedure to be undertaken should an ancillary facility be required. The CEMP was initially approved by DPHI on 08/06/18, with the most recent update approved on the 25/9/2023.</p> <p>Compounds are shown in Figure 1-2 of the CEMP. Compounds are internal to the site which is screened, away from receivers, subject to environmental controls set out in the CEMP suite. The ER Monthly reports do not identify compounds as an issue.</p>	NT
B148	<p>Prior to establishment of any ancillary facility that is not identified by description and location in the documents listed in A2 that satisfies the criteria in condition B148, the Applicant must prepare and implement an Ancillary Facilities Management Plan which outlines the environmental management practices and procedures for the establishment and operation of the ancillary facility. The Ancillary Facilities Management Plan must be prepared in consultation with the relevant council and submitted to the Secretary for approval one month prior to installation of ancillary facilities. The Ancillary Facilities Management Plan must detail the management of the ancillary facilities and include:</p> <ol style="list-style-type: none"> a. a description of activities to be undertaken during construction (including scheduling of construction); b. a program for ongoing analysis of the key environmental risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken prior to the commencement of construction of the development; and c. details of how the activities described in subsection (a) of this condition will be carried out to: <ol style="list-style-type: none"> i. meet the performance outcomes stated in the documents listed in conditions A2; and ii. manage the risks identified in the risk analysis undertaken in subsection (b) of 	<p>Construction Environmental Management Plan Moorebank Precinct East Stage 2, SIMTA, 25/09/2023 (Rev.18) (and subordinate Sub-plans) by SIMTA</p> <p>Interview with auditees 02/12/2024 and Site inspection 4/12/2024</p> <p>ER Monthly Reports, from Pitt & Sherry:</p> <ul style="list-style-type: none"> - 1-31/1/24, dated 9/2/24 - 1-29/2/24, dated 7/3/24 - 1-31/3/24, dated 11/4/24 - 1-30/4/24, dated 1/5/24 - 1-31/5/24, dated 7/6/24 - 1-30/6/24, dated 10/7/24 - 1-31/7/24, dated 6/8/24 	<p>The CEMP section 1.6.1.3 outlines the procedure to be undertaken should an ancillary facility be required. The CEMP was initially approved by DPHI on 08/06/18, with the most recent update approved on the 25/9/2023.</p> <p>Compounds are shown in Figure 1-2 of the CEMP. Compounds are internal to the site which is screened, away from receivers, subject to environmental controls set out in the CEMP suite. The ER Monthly reports do not identify compounds as an issue.</p>	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	this condition.	<ul style="list-style-type: none"> - 1-31/8/24, dated 3/9/24 - 1-30/9/24, dated 14/10/24 - 1-31/10/24, dated 13/11/24 		
B149	<p>Minor ancillary facilities comprising lunch sheds, office sheds, and portable toilet facilities, that are not identified in the documents listed in condition A2 and which do not satisfy the criteria set out in condition B148 of this approval must satisfy the following criteria:</p> <ol style="list-style-type: none"> a. have no greater environmental and amenity impacts than those that can be managed through the implementation of environmental measures detailed in the CEMP required under condition C1 of this approval; and b. have been assessed by the ER to have: <ol style="list-style-type: none"> I. minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the INCG (DECC 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts; II. minimal environmental impact with respect to waste management and flooding; and III. no impacts on biodiversity, soil and water, and heritage items beyond those already approved under other terms of this approval. 	<p>Construction Environmental Management Plan Moorebank Precinct East Stage 2, SIMTA, 25/09/2023 (Rev.18) (and subordinate Sub-plans) by SIMTA</p> <p>Letter from DPHI-Aspect, 18/12/23 re. approve revised CEMP (Rev. 18, 25/09/2023)</p> <p>Interview with auditees 02/12/2024 and Site inspection 4/12/2024</p> <p>ER Monthly Reports, from Pitt & Sherry:</p> <ul style="list-style-type: none"> - 1-31/1/24, dated 9/2/24 - 1-29/2/24, dated 7/3/24 - 1-31/3/24, dated 11/4/24 - 1-30/4/24, dated 1/5/24 - 1-31/5/24, dated 7/6/24 - 1-30/6/24, dated 10/7/24 - 1-31/7/24, dated 6/8/24 - 1-31/8/24, dated 3/9/24 - 1-30/9/24, dated 14/10/24 - 1-31/10/24, dated 13/11/24 <p>Letter from Pitt & Sherry, 10/7/24, ER approval for minor amendment (RFMA) temporary storage Facility within the MPE2 construction boundary</p>	<p>The CEMP section 1.6.1.3 outlines the procedure to be undertaken should an ancillary facility be required. The CEMP was initially approved by DPHI on 08/06/18, with the most recent update approved on the 18/12/2023.</p> <p>Compounds are shown in Figure 1-2 of the CEMP. Compounds are internal to the site which is screened, away from receivers, subject to environmental controls set out in the CEMP suite. The ER Monthly reports do not identify compounds as an issue.</p> <p>During the audit period there were 3 minor ancillary facilities approved: 1 for Logos (not associated with MAUP) and 2 for BMD. A letter from Pitt & Sherry dated 10/7/24 was sighted, ER approval for minor amendment (RFMA) Temporary Storage Facility within the MPE2 construction boundary.</p> <p>CEMP Rev.18 is currently under the review by the ER (including MOD-5, revised plans, minor ancillary facilities and admin changes).</p>	C
B150	Boundary screening must be erected around all ancillary facilities that are adjacent to sensitive receivers for the duration of construction unless otherwise agreed with relevant Council(s), and affected residents, business operators or landowners.	<p>Construction Environmental Management Plan Moorebank Precinct East Stage 2, SIMTA, 25/09/2023 (Rev.18) (and subordinate Sub-plans) by SIMTA</p> <p>Letter from DPHI-Aspect, 18/12/23 re. approve revised CEMP (Rev. 18, 25/09/2023)</p> <p>Interview with auditees 02/12/2024 and Site inspection 4/12/2024</p> <p>ER Monthly Reports, from Pitt & Sherry:</p> <ul style="list-style-type: none"> - 1-31/1/24, dated 9/2/24 - 1-29/2/24, dated 7/3/24 - 1-31/3/24, dated 11/4/24 	<p>The CEMP section 1.6.1.3 outlines the procedure to be undertaken should an ancillary facility be required. Compounds are shown in Figure 1-2. The CEMP was initially approved by DPHI on 08/06/18, with the most recent update approved on 18/12/2023.</p> <p>Compounds are internal to the site which is screened, away from receivers, subject to environmental controls set out in the CEMP suite. The ER Monthly reports do not identify compounds as an issue.</p> <p>No sensitive receivers adjacent to the minor ancillary facilities.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<ul style="list-style-type: none"> - 1-30/4/24, dated 1/5/24 - 1-31/5/24, dated 7/6/24 - 1-30/6/24, dated 10/7/24 - 1-31/7/24, dated 6/8/24 - 1-31/8/24, dated 3/9/24 - 1-30/9/24, dated 14/10/24 - 1-31/10/24, dated 13/11/24 		
B151	Boundary screening required under condition B150 must minimise visual, noise and air quality impacts on adjacent sensitive receivers.	<p>Construction Environmental Management Plan Moorebank Precinct East Stage 2, SIMTA, 25/09/2023 (Rev.18) (and subordinate Sub-plans) by SIMTA</p> <p>Letter from DPHI-Aspect, 18/12/23 re. approve revised CEMP (Rev. 18, 25/09/2023)</p> <p>Interview with auditees 02/12/2024 and Site inspection 4/12/2024</p> <p>ER Monthly Reports, from Pitt & Sherry:</p> <ul style="list-style-type: none"> - 1-31/1/24, dated 9/2/24 - 1-29/2/24, dated 7/3/24 - 1-31/3/24, dated 11/4/24 - 1-30/4/24, dated 1/5/24 - 1-31/5/24, dated 7/6/24 - 1-30/6/24, dated 10/7/24 - 1-31/7/24, dated 6/8/24 - 1-31/8/24, dated 3/9/24 - 1-30/9/24, dated 14/10/24 - 1-31/10/24, dated 13/11/24 	<p>The CEMP section 1.6.1.3 outlines the procedure to be undertaken should an ancillary facility be required. Compounds are shown in Figure 1-2. The CEMP was initially approved by DPHI on 08/06/18, with the most recent update approved on 18/12/2023.</p> <p>Compounds are internal to the site which is screened, away from receivers, subject to environmental controls set out in the CEMP suite. The ER Monthly reports do not identify compounds as an issue.</p> <p>No sensitive receivers adjacent to the minor ancillary facilities.</p>	C
Food preparation areas				
B152	<p>All food premises must be designed, constructed and operated to meet legislative requirements and Australian Standards including:</p> <ul style="list-style-type: none"> a. the Australian New Zealand Food Standards Code including Food Safety Standard 3.2.2 <i>Food Premises and Equipment</i>; b. AS 4674-2004: Design, construction and fit out of food premises; c. AS 4322-1995: Quality and performance of commercial electrical appliances – Hot food storage and display equipment; d. AS ISO 22000-2005: Food safety management systems-Requirements for any organisation in the food chain. 	Interview with auditees 02/12/2024	There are no food premises. This will be established at the freight village.	NT
B153	The Applicant must obtain a certificate from a suitable qualified tradesperson, certifying that kitchen, food storage and food preparation areas have been fitted in accordance with <i>Australian Standard AS4674</i> . The Applicant must provide evidence of receipt of the certificate to the satisfaction of the Certifying Authority prior to occupation.	Interview with auditees 02/12/2024	There are no food premises. This will be established at the freight village.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
COMMUNITY ENGAGEMENT				
Community consultative committee				
B154	<p>Before early works and fill importation a Community Consultative Committee (CCC) must be established for the Moorebank Intermodal Precinct (MPE and MPW) in accordance with the Department's <i>Community Consultative Committee Guidelines: State Significant Projects</i> (2016). The CCC must function for the duration of construction and for at least 5 years following commencement of operation.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> The CCC is an advisory committee only. In accordance with the guidelines, the Committee should comprise an independent representation from the Applicant, Council and the local community. 	<p>https://simta.com.au/project-wide/</p> <p>Moorebank Intermodal Precinct Community Consultative Committee, TSA, 5/9/2024, 23/5/2024, 14/03/2024, 7/12/2023, 23/08/2023, 16/2/2023, 9/11/2022, 10/8/2022, 18/05/2022, 7/2/2022, 09/11/2021</p>	<p>The CCC was established well before commencement of operations. According to the minutes online on the CCC continues to meet at the set intervals and involves representatives from each of the stakeholders identified. Minutes from November 2021 to Sep 2024 were available on the development website</p> <p>Last CCC meeting was carried out on the 5/9/2024.</p>	C
Community communication strategy				
B155	<p>No later than one month before early works and fill importation, a Community Communication Strategy must be prepared and submitted to the Secretary for approval. The Community Communication Strategy is to provide mechanisms to facilitate communication between the Applicant, the Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development. The Community Communication Strategy must:</p> <ol style="list-style-type: none"> assign a central contact person to keep the nearby sensitive receivers regularly informed throughout the development; detail the mechanisms for regularly consulting with the local community throughout the development, such as holding regular meetings to inform the community of the progress of the development and report on environmental monitoring results; detail a procedure for consulting with nearby sensitive receivers to schedule high noise generating works or manage traffic disruptions; include contact details for key community groups, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders; and include a complaints procedure for recording, responding to and managing complaints, including: <ol style="list-style-type: none"> email, toll-free telephone number and postal address for receiving complaints; advertising the contact details for complaints prior to and during operation, via the local newspaper and through on-site signage; a complaints register to record the date, time and nature of the complaint, details of the complainant and any actions taken to address the complaint; and procedures for the resolution of any disputes that may arise during the course of the development. 	-	Refer Independent Audit No. 1. A Community Communication Strategy has been prepared and was approved by DPHI on 01/06/18.	NT
B156	<p>The Applicant must:</p> <ol style="list-style-type: none"> not commence construction until the Community Communication Strategy is approved by the Secretary; implement the approved Community Communication Strategy for the duration of the development and for 24 months following the completion of operation. 	-	Refer Independent Audit No. 1. A Community Communication Strategy has been prepared and was approved by DPHI on 01/06/18.	NT
B157	The Complaints Register must be provided to the Secretary within 7 days upon request, for the period detailed within the request.	Email to the ER and DPHI 1/4/24, 12/8/24, 26/8/24, 9/9/24, 23/9/24,	<p>Precinct wide complaints register is issued to the ER and Department.</p> <p>The register identifies the date complaint received, complainant, nature of the</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		4/11/24 (issue of the complaints register) Complaints register current to 1/12/2024 (publicly available, summary issued to DPHI and complaints management system extract)	complaint, and status of the complaint. Sighted sample of fortnightly complaints report issue to the ER and the DPHI for April, August, September and November 2024	
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN				
C1	Before the commencement of construction, a Construction Environmental Management Plan (CEMP) must be prepared to the satisfaction of the Secretary. The CEMP must: <ol style="list-style-type: none"> a. identify the statutory approvals required to carry out the development; b. outline all environmental management practices and procedures to be followed during construction works associated with the development; c. describe all activities to be undertaken on the site during construction of the development, including a clear indication of construction stages; d. detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts; e. describe the roles and responsibilities for all relevant employees involved in construction works associated with the development; and f. include the management plans required under this approval, including: <ol style="list-style-type: none"> i. Construction Traffic and Access Management Plan; ii. Concrete Batching Plant Management Plan; iii. Soil and Water Management Plan; iv. Flood Emergency Response Plan; v. Construction Air Quality Management Plan; vi. Construction Noise and Vibration Management Plan; vii. Heritage Management Plan; viii. Construction Flora and Fauna Management; ix. Construction and Demolition Waste Management Plan; x. Contamination Management Plan; and xi. Bushfire Emergency and Evacuation Plan. 	-	Refer Independent Audit No. 1. The CEMP was prepared prior to construction and approved by DPHI in 2018.	NT
C2	The Applicant must: <ol style="list-style-type: none"> a. not commence construction until the CEMP is approved by the Secretary; and b. carry out the construction of the development in accordance with the most recent version of the CEMP approved by the Secretary, unless otherwise agreed by the Secretary. 	Construction Environmental Management Plan Moorebank Precinct East Stage 2, SIMTA, 25/09/2023 (Rev.18) (and subordinate Sub-plans) by SIMTA Letter from DPHI-Aspect, 18/12/23 re. approve revised CEMP (Rev. 18, 25/09/2023) Interview with auditees 02/12/2024 and Site inspection 4/12/2024 ER Monthly Reports, from Pitt & Sherry: <ul style="list-style-type: none"> - 1-31/1/24, dated 9/2/24 - 1-29/2/24, dated 7/3/24 - 1-31/3/24, dated 11/4/24 - 1-30/4/24, dated 1/5/24 	The CEMP was initially approved by DPHI on 08/06/18, with the most recent update (Rev.18 25/9/2023) was approved on the 18/12/2023. Contractors report on environmental performance in their works including compliance with the consent, conformance with the CEMP suite, incidents etc. The implementation of the CEMP was sighted as follows: <ul style="list-style-type: none"> - Environmental Inspection have been carried out by the Contractor (BMD) and the ER (Pitt & Sherry) periodically. - Site Specific inductions have been carried out by BMD to all contractors involved in the Moorebank Avenue Upgrade Works (MAUW) and the MAAI. - Monthly report have been prepared by the ER and submitted to DPHI accordingly. 	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<ul style="list-style-type: none"> - 1-31/5/24, dated 7/6/24 - 1-30/6/24, dated 10/7/24 - 1-31/7/24, dated 6/8/24 - 1-31/8/24, dated 3/9/24 - 1-30/9/24, dated 14/10/24 - 1-31/10/24, dated 13/11/24 <p>Inspection Reports, Pitt & Sherry:</p> <ul style="list-style-type: none"> - 11/01/24, 30/01/24 - 08/02/24, 27/02/24 - 11/03/24, 21/03/24 - 09/04/24, 18/04/24 - 02/05/24, 16/05/24, 30/05/24 - 13/06/24, 28/06/24 - 11/07/24, 26/07/24 - 08/08/24, 22/08/24 - 05/09/24, 24/09/24 - 03/10/24, 21/10/24 <p>Construction Compliance Report MPE Stage 2 report is #16 (Oct 2023 to Mar 2024) Rev 2, 21/04/2024 by LOGOS</p> <p>Moorebank Intermodal Precinct East Stage 2(SSD 7628): Annual Review 2023 (#06), 17/10/2024, Rev.2</p> <p>Evidence referred to elsewhere in this audit table</p>	<ul style="list-style-type: none"> - Construction Compliance Report have been prepared to report on the environmental performance of the MPE Stage 2. Latest report is #16 from Oct 2023 to Mar 2024 Rev 2, 21/04/2024 prepared by LOGOS - Annual Review Reports have been prepared for 2021 (#04), 2022 (#05) and 2023 (#06) to report on the monitoring results and complaints records for the year. - Erosion and sediment controls at the BMD site were sighted during the audit site inspection carried out on the 4/12/2024. No observation were made by the auditor. 	
OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN				
C3	<p>Before the commencement of operations, a Precinct Operational Environmental Management Plan (OEMP) must be prepared to the satisfaction of the Secretary. The OEMP must:</p> <ol style="list-style-type: none"> a. be prepared by a suitably qualified and experienced expert; b. provide the strategic framework for environmental management of the development; c. identify the statutory approvals required to carry out the development; d. Identify the infrastructure to be managed under the Precinct OEMP which is to include pavements, stormwater detention and water quality treatment structures and devices; and landscaping. e. describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development including the overall responsibility for the operational environmental management of the freight village; f. describe the procedures to be implemented to: <ol style="list-style-type: none"> i. keep the local community and relevant agencies informed about the operation and environmental performance of the development; ii. receive, handle, respond to, and record complaints; iii. resolve any disputes that may arise; iv. respond to any non-compliance; v. respond to emergencies; and 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> g. include the management plans required under this approval, including: <ul style="list-style-type: none"> i. Operational Traffic and Access Management Plan; ii. Workplace Travel Plan; iii. Stormwater Infrastructure Operation and Maintenance Plan; iv. Flood Emergency Response Plan; v. Operational Air Quality Management Plan; vi. Operational Noise and Vibration Management Plan; vii. Heritage Interpretation Plan; viii. Operational Flora and Fauna Management Plan; ix. Waste Management Plan; x. Long-term Contamination Management Plan; and xi. Bushfire Emergency and Evacuation Plan. 			
C4	<p>The Applicant must:</p> <ul style="list-style-type: none"> a. not commence operation of the development until the OEMP is approved by the Secretary; and b. operate the development in accordance with the most recent version of the OEMP approved by the Secretary, unless otherwise agreed by the Secretary. 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
C5	Overall responsibility of the development, including the freight village environmental management during operation, must be by the entity responsible for the Precinct environmental management.	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
Occupation environmental management plan				
C6	<p>Prior to occupation of individual warehouses, a Warehouse OEMP must be submitted to the Secretary for approval and must:</p> <ul style="list-style-type: none"> a. be generally in accordance with the precinct OEMP required under condition C3; b. demonstrate compliance with condition B114 regarding maintenance of quantities of dangerous goods below the screening threshold; and c. include auditing requirements. 	-	This audit relates to construction activities only. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	NT
Management plan requirements				
C7	<p>The Applicant must ensure that the environmental management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <ul style="list-style-type: none"> a. detailed baseline data; b. a description of: <ul style="list-style-type: none"> i. the relevant statutory requirements (including any relevant approval, licence or lease conditions); ii. any relevant limits or performance measures/criteria; and iii. the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; c. a description of the management measures to be implemented to comply with the relevant statutory requirements, limits or performance measures/criteria; 	-	Refer Independent Audit No. 1. The CEMP was prepared prior to construction and approved by DPPI in 2018.	NT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>d. a program to monitor and report on the:</p> <ul style="list-style-type: none"> i. impacts and environmental performance of the development; and ii. effectiveness of any management measures (see (c) above); <p>e. a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>f. a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>g. a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> i. incidents and non-compliances; ii. complaints; iii. non-compliances with statutory requirements; and <p>h. a protocol for periodic review of the plan.</p> <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for a particular management plan.</i></p>			
Revision of strategies, plans and programs				
C8	<p>At least one month prior to the commencement of a new phase of the development, the CEMP or OEMP and applicable subplans must be reviewed and submitted to the Secretary for approval.</p>	<p>Construction Environmental Management Plan Moorebank Precinct East Stage 2, SIMTA, 25/09/2023 (Rev.18) (and subordinate Sub-plans) by SIMTA</p> <p>Letter from DPHI-Aspect, 18/12/23 re. approve revised CEMP (Rev. 18, 25/09/2023)</p>	<p>There is no staging of construction phase plans (e.g. CEMP and Sub-plans).</p> <p>The audit noted that updates to the plans have been made following the submission of a modification, incident or independent audit to ensure they remain current. The CEMP has undergone 18 revisions including updates approved by the Department, minor updates approved by the ER. The Department last approved the latest version of the CEMP suite in 2023.</p>	C
C9	<p>Within three months of:</p> <ul style="list-style-type: none"> a. the submission of an annual review under condition C10; b. the submission of an incident or non-compliance notification under condition C13; c. the submission of an audit under condition C18; d. the approval of any modification of the conditions of this consent; or e. the issue of a direction of the Secretary under condition A2; <p>the strategies, plans and programs required under this consent must be reviewed, and if necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, must be revised, to the satisfaction of the Secretary. Where revisions are required, the revised document must be submitted to the Secretary for approval within six weeks of the review.</p> <p><i>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve the environmental performance of the development.</i></p>	<p>Quarterly and 6 Monthly Construction Compliance Reports: https://simta.com.au/mpe-2/</p> <p>MPE Stage 2: Construction Compliance Report - #12 October 2021 – March 2022 Rev 2, 7/06/2022 by SIMTA</p> <p>MPE Stage 2: Construction Compliance Report - #13 April 2022 – Sept 2022 Rev 2, 19/12/2022 by LOGOS</p> <p>MPE Stage 2: Construction Compliance Report - #14 Oct 2022 – Mar 2023 Rev 2, 29/11/2023 by LOGOS</p>	<p>Annual Review under C10 requires the Development to review compliance with the management plans. Reviews and updates were undertaken following Modifications 2, 3, 4, 5 and 6.</p> <p>Annual Review Reports for 2021 (#04), 2022 (#05) and 2023 (#06) were sighted and are available on the development website.</p> <p>Based on the regular updates to the CEMP suite and the Stormwater Plan (refer to each condition above as relevant), and the Department's approval of those updates there is sufficient evidence to demonstrate reviews of the plans has been carried out.</p> <p>Construction Compliance Reports (#12 to #16) were prepared for the development as required. The reports noted that the works during the corresponding compliance reporting periods were generally undertaken in compliance with the Conditions of Consent, Final Commitment and Management Measures (FCMMs), and the approved CEMP and subplans.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>MPE Stage 2: Construction Compliance Report - #15 April 2023 – Sept 2023 Rev 2, 14/04/2024 by LOGOS</p> <p>MPE Stage 2: Construction Compliance Report - #16 Oct 2023 – Mar 2024 Rev 2, 21/04/2024 by LOGOS</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #04 (2021), SIMTA, 7/6/2022, Rev.2</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #05 (2022), LOGOS, 30/8/2023 Rev.2</p> <p>Moorebank Intermodal Precinct East Stage 2(SSD 7628): Annual Review 2023 (#06), 17/10/2024, Rev.2</p>	<p>The Conditions have been modified 6 times by the Independent Planning Commission’s delegate on the 14 March 2022 (MOD 1), 31 January 2020 (MOD 2), 18 December 2020 (MOD 3), 19 January 2021 (MOD 4), 4 September 2023 (MOD 5) and 22 February 2024 (MOD 6).</p>	
Annual review				
C10	<p>Each year, the Applicant must submit a review the environmental performance of the development (including all tenants and occupants) to the to the Department. The review must:</p> <ol style="list-style-type: none"> describe the development that was carried out in the previous calendar year, and the development that is proposed to be carried out over the next year; include a comprehensive review of the monitoring results and complaints records from the previous year, including a comparison of these against the: <ol style="list-style-type: none"> the relevant statutory requirements, limits or performance measures/criteria; requirements of any plan or program required under this consent; the monitoring results of previous years; and the relevant predictions in the EIS, Submissions Report, Consolidated assessment clarification responses; Modification Assessment, or conditions of this consent; identify any non-compliance over the previous year, and describe what actions were (or are being) taken to ensure compliance; identify any trends in the monitoring data over the life of the development; identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and describe what measures will be implemented over the next year to improve the environmental performance of the development. <p>The Applicant must ensure that copies of the Annual Review are submitted to Council and are available to the CCC and any interested person upon request.</p>	<p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #04 (2021), SIMTA, 7/6/2022, Rev.2</p> <p>Post Approval Form, 07/6/2022</p> <p>Email to DPHI, re. SSD 7628 MPE S2 Annual Review #4_2021, 7/6/2022</p> <p>Email to LCC, re. SSD 7628 MPE S2 Annual Review 2021 Re.2, 9/6/2022</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #05 (2022), LOGOS, 30/8/2023 Rev.2</p> <p>Post Approval Form, 31/8/2023</p> <p>Email to DPHI, re. SSD 7628 MPE S2 Annual Review 2022, 31/8/2023</p> <p>Email to LCC, re. SSD 7628 MPE S2 Annual Review 2022 Re.2, 1/9/2023</p> <p>Moorebank Intermodal Precinct East Stage 2(SSD 7628): Annual Review 2023 (#06), 17/10/2024, Rev.2</p> <p>Post Approval Form, 17/10/2024</p> <p>Email to DPHI, re. SSD 7628 MPE S2 Annual Review 2023, 18/10/2024</p>	<p>The Annual Reviews were prepared for 2021, 2022 and 2023 were sighted in accordance with this condition.</p> <p>Annual Review for 2021 (#04) was prepared by SIMTA on the 7/6/2022 and submitted to DPHI on 7/6/22 and LCC on the 9/6/2022.</p> <p>Annual Review for 2022 (#05) was prepared by LOGOS on the 30/8/2023 Rev.2 and submitted to DPHI on the 31/8/2023 and LCC on the 1/9/2023.</p> <p>Annual Review for 2023 (#06) was prepared by Moorebank Intermodal Precinct on the 17/10/2024 and submitted to DPHI and LCC on the 18/10/2024. The included:</p> <ol style="list-style-type: none"> Section 2 Section 3 (i – iv) Section 4 Section 3 Section 3 Section 3 <p>No other parties have requested a copy of the MPES2 Annual Review Reports; it was noted that they are available on the development website.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Email to LCC, re. SSD 7628 MPE S2 Annual Review 2023 Re.2, 18/10/2024		
REPORTING				
Incident notification, reporting and response				
C11	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.	Interview with Auditees 2/12/2024 Incident Register current to 15/11/2024, BMD Beakon system	The auditees advised that there have been no reportable incidents relating to BMDs scope of works during the audit period. The Annual Review reports for 2021 #04, 2022 #05 and 2023 #06 shows the same information.	NT
C12	A written incident notification addressing all requirements for such notification set out in Appendix C of this consent, must also be emailed to the Department at the following address: compliance@planning.nsw.gov.au within 7 days after the Applicant becomes aware of an incident. Notification is required to be given under this condition or, having given such notification, subsequently forms the view that an incident has not occurred.	Interview with Auditees 2/12/2024 Incident Register current to 15/11/2024, BMD Beakon system	The auditees advise that there have been no reportable incidents relating to BMDs scope of works.	NT
C13	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Secretary the Applicant must provide the Secretary and any relevant public authorities (as determined by the Secretary) with a detailed report on the incident addressing all requirements for such reporting set out in Appendix C of this consent, and such further reports as may be requested.	Interview with Auditees 2/12/2024 Incident Register current to 15/11/2024, BMD Beakon system	The auditees advise that there have been no reportable incidents relating to BMDs scope of works.	NT
C14	Any written requirements of the Secretary or relevant public authority (as determined by the Secretary) which may be given at any point in time, to address the cause or impact of an incident must be complied with and within any timeframe specified by the Secretary or relevant public authority.	Interview with Auditees 2/12/2024	The auditees are not aware of any direction from the Secretary with respect to incidents.	NT
C15	If statutory notification is provided to EPA as required under the POEO Act in relation to the development, such notification must also be provided to the Secretary within 24 hours after the notification was provided to EPA.	Interview with Auditees 2/12/2024	The auditees advise that there have been no reportable incidents relating to BMDs scope of works.	NT
Non-compliance notification and reporting				
C16	The Department must be notified in writing to compliance@planning.nsw.gov.au within 7 days after the Applicant becomes aware of any non-compliance.	Independent Audit Report MPE Stage 2 from WolfPeak, 1/3/2022 Letter from Aspect to DPFI, 8/3/2022 re. submission of response to IA2 Letter from Aspect to DPFI, 2/8/2022 re. Notification of Non-compliances identified in MPE Stage 2 – IA2 Audit Report	Letter from Aspect to DPFI dated 2/8/2022 was sighted, with notification of the 12 non-compliances identified in the IA2 audit carried out in 2021. Nine of the non-compliances were closed out. Three non-compliances, dating back to 2019, remain open and evidence was not available to demonstrate compliance. IA2 Final Audit Report from WolfPeak was dated 1/3/2022. A letter from Aspect with the Applicant response to audit report IA2 was sent to DPFI on the 8/3/2022. The Applicant indicated that the letter was considered as the notification of the non-compliances raised in IA2.	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Email from DPHI, 9/9/2022 acknowledging notification of non-compliances</p> <p>MPE Stage 2 (SSD 7628) Construction Compliance Report #12 (Oct 2021 to March 2022), SIMTA, 7/6/2022</p>	<p>It was noted that an additional notification to DPHI of the non-compliances raised in IA2 was made on 2/8/2022.</p> <p>Observation: It is the auditor's view that any non-compliances identified during the Independent Audit should be notified to the DPHI within 7 days of the Applicant's awareness of these non-compliances. However, during the IA2 conducted in 2021, the Applicant understood that the submission of the Final IA2 audit report and the response to audit report was deemed sufficient notification of non-compliances to the DPHI. The final audit report was dated 1/3/2022, and the Audit Response was submitted to DPHI on the 8/3/2022, which was within the stipulated 7-day period.</p> <p>Additionally, prior finalising this audit report, the Applicant was provided with advice from the DPHI (dated 11/2/2025) indicating that "in circumstances where a non-compliance is only identified by an Independent Environmental Audit and then responded to via the Response to Audit Recommendations (as in, the project has not identified/is not aware of the non-compliance outside of the IEA process), no separate notification is required and we will consider the non-compliance further as a part of our assessment of the IEA findings".</p>	
C17	The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply, the reasons for the non-compliance (if known), and what actions have been, or will be, undertaken to address the non-compliance.	<p>Independent Audit Report MPE Stage 2 from WolfPeak, 1/3/2022</p> <p>Letter from Aspect to DPHI dated 2/8/2022 re. Notification of Non-compliances identified in MPE Stage 2 - Independent Audit Report #2</p> <p>Email from DPHI, 9/9/2022 acknowledging notification of non-compliances</p> <p>MPE Stage 2 (SSD 7628) Construction Compliance Report #12 (Oct 2021 to March 2022), SIMTA, 7/6/2022</p>	Letter from Aspect to DPHI dated 2/8/2022 was sighted, with notification of the 12 non-compliances identified in the audit carried out in 2021. Nine of the non-compliances were closed out. Three non-compliances, dating back to 2019, remain open and evidence was not available to demonstrate compliance. The condition of consent, nature of the non-compliance, and corrective or follow-up actions were detailed in a table as part of the letter.	C
AUDITING				
Independent environmental audit				
C18	<p>Within one year of the commencement of any development under this consent, and every three years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:</p> <ol style="list-style-type: none"> be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; be carried out in consultation with the relevant agencies and the CCC; assess the environmental performance of the development (and tenancies) and assess whether it is complying with the relevant requirements in this consent, and any strategy, 	<p>Independent Audit Report MPE Stage 2 from WolfPeak, 1/3/2022</p> <p>Email Aspect to DPHI, 8/3/2022 re. Independent Audit Report and Applicant Response</p>	<p>The Independent Audits have been conducted in accordance with this condition. The IA2 report dated 1/3/2022 and Applicant response dated 8/3/2022 were sighted and published in the development website.</p> <p>WolfPeak's auditors were approved by DPHI on the 13/11/2024. Consultation prior the IA3 with the CCC was sent on the 13/11/2024.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>plan or program required under this consent;</p> <p>d. review the adequacy of any approved strategy, plan or program required under this consent; and</p> <p>e. recommend appropriate measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under this consent.</p>		<p>This audit (IA3 – 2024) represents the third Independent Audit on the construction of SSD 7628 (required every 3 years) and addresses this condition.</p>	
C19	<p>Within three months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Secretary.</p>	<p>Independent Audit Report MPE Stage 2 from WolfPeak, 1/3/2022</p> <p>Email Aspect to DPHI, 8/3/2022 re. Independent Audit Report and Applicant Response</p>	<p>The second Independent Audit (IA2) on the construction of SSD 7628 commenced on 08/12/21. Submission of the report is due 08/03/22.</p> <p>The Audit Report from WolfPeak dated 1/3/2022 and response to Audit Report dated 8/3/2022 were submitted to the DPHI on the 8/3/2022.</p>	C
Access to information				
C20	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, including demolition and remediation, the Applicant must:</p> <p>a. make copies of the following publicly available on its website:</p> <ol style="list-style-type: none"> i. the documents referred to in condition A2 of this consent; ii. all current statutory approvals for the development; iii. all approved strategies, plans and programs required under the conditions of this consent; 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; 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; vi. a summary of the current stage and progress of the development; vii. contact details to enquire about the development or make a complaint; viii. a complaints register updated on a monthly basis; ix. the Annual Reviews of the development; x. audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report; xi. any other matter required by the Secretary; and <p>b. keep such information up to date, to the satisfaction of the Secretary.</p>	<p>Operation Community Communication Strategy, SIMTA, 27/03/20 (the OCCS)</p> <p>https://simta.com.au/project-wide/</p> <p>https://simta.com.au/mpe-2/</p> <p>https://simta.com.au/planning-process/</p> <p>Moorebank Intermodal Precinct Complaints Register, 1/12/2024</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #04 (2021), SIMTA, 7/6/2022, Rev.2</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #05 (2022), LOGOS, 30/8/2023 Rev.2</p> <p>Moorebank Intermodal Precinct East Stage 2(SSD 7628): Annual Review 2023 (#06), 17/10/2024, Rev.2</p> <p>Independent Audit Report (IA2) from Wolfpeak, 1/3/2022</p> <p>Applicant Response to IA2 from Aspect, 8/3/2022</p>	<p>The development website contains:</p> <ul style="list-style-type: none"> • the EIS and associated material • the consents and modifications • each of the approved strategies, plans and programs • regular reporting on the environmental performance of the development (monitoring reports, compliance reports and audit reports) • a summary of the current stage (project works updates: News and current works) • contact details to enquire about the development or make a complaint • a complaints register updated on a monthly basis (sighted up to 1/12/2024) • the Annual Reviews from 2018 #1 to 2023 #6 (Compliance reports) • Independent audit reports (IA1: 18/2/2019 and IA2: 1/3/2022 including Applicant Response to Audit 8/3/2022) 	C
Compliance monitoring and tracking				
C21	<p>The Proponent must prepare and implement a Compliance Tracking Program to track compliance with the requirements of this approval. The Compliance Tracking Program must be submitted to the Secretary for approval prior to the commencement of construction.</p> <p>The Compliance Tracking Program must include, but not be limited to:</p>	<p>Compliance Tracking Program Moorebank Precinct East Stage 2, SIMTA, 24/5/2018</p>	<p>The Compliance Tracking Program (CTP) was prepared in accordance with the requirements of condition C21 and was approved by the Department. The latest version dated 26/3/24 (Rev.009) was revised to align with DPHI's</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> a. provision for the notification of the Secretary prior to the commencement of construction and prior to the commencement of operation of the development (including prior to each stage, where works are being staged); b. provision for periodic review of the compliance status of the development against the requirements of this approval and the environmental management measures committed to in the documents referred to in condition A2; c. provision for periodic reporting of compliance status to the Secretary, including but not limited to: <ul style="list-style-type: none"> i. a Pre-Construction Compliance Report prior to the commencement of construction, ii. six-monthly Construction Compliance Reports, for the duration of construction, and iii. a Pre-Operation Compliance Report prior to the commencement of operation, and six-monthly operational compliance reports; d. a program for independent environmental auditing; e. mechanisms for recording environmental incidents during construction and actions taken in response to those incidents; f. provision for reporting environmental incidents to the Secretary during construction; and g. procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management; and (h) provision for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities. 	<p>Compliance Tracking Program Moorebank Precinct East Stage 2, LOGOS, 26/03/2024 Rev.009</p> <p>Quarterly and 6 Monthly Construction Compliance Reports: https://simta.com.au/mpe-2/</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #04 (2021), SIMTA, 7/6/2022, Rev.2</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #05 (2022), LOGOS, 30/8/2023 Rev.2</p> <p>Moorebank Intermodal Precinct East Stage 2(SSD 7628): Annual Review 2023 (#06), 17/10/2024, Rev.2</p>	<p>CRPAR (June 208) and the CRPAR (May 2020), where able to apply consistently with the conditions of SSD 7628.</p> <p>The CTP includes in section 3. Compliance Monitoring and reporting program requirements, section 4. Compliance monitoring and reporting schedule and Appendix A includes the compliance tracking table.</p> <p>The completion of quarterly and 6-monthly Compliance Reports, the Annual Reviews and Independent Audits, as well as the reporting and management of non-compliances, complaints and incidents (reported within the aforementioned documents) indicates implementation of the CTP.</p>	
Environment representative				
C22	<p>A suitably qualified and experienced ER who is independent of the development must be nominated by the Applicant, approved by the Secretary and engaged for the duration of construction of the development in accordance with the <i>Environmental Representative Protocol</i> (DPE 2017). Additional ERs may be engaged for the purpose of this condition in which case the obligations to be carried out by an ER under the terms of this consent may be satisfied by any ER that is approved by the Secretary. The details of nominated ER(s) must be submitted to the Secretary for approval no later than one month prior to the commencement of works, or within another timeframe agreed with the Secretary. This condition does not preclude the same ER for MPW projects being considered by the Secretary.</p>	<p>Letter DPHI to Qube, 03/12/21 (approval of additional ERs)</p>	<p>The Secretary has approved a suitably qualified and experienced ER for the Development (Mr. Chris Jack). The ER was appointed 14 February 2018 (prior to current audit period). Refer to Independent Environmental Compliance Audit 2018, MPE Stage 2, WolfPeak, 18/02/19.</p> <p>Additional ERs have been approved by the Department on 03/12/21.</p> <p>The role of the ER is described in the CEMP.</p>	C
C23	<p>Construction must not commence until an ER nominated under C22 has been approved by the Secretary.</p>	<p>Letter DPHI to Qube, 03/12/21 (approval of additional ERs)</p>	<p>The Secretary has approved a suitably qualified and experienced ER for the Development (Mr. Chris Jack). The ER was appointed 14 February 2018 (prior to current audit period). Refer to Independent Environmental Compliance Audit 2018, MPE Stage 2, WolfPeak, 18/02/19.</p> <p>Additional ERs (Mr. Adam Bishop) have been approved by the Department on 03/12/21. The role of the ER is described in the CEMP.</p>	C
C24	<p>From commencement of any works until completion of construction, the approved ER must:</p> <ul style="list-style-type: none"> a. on behalf of the Applicant, receive and respond to communication from the Secretary in relation to the environmental performance of the development; b. consider and inform the Secretary on matters specified in the terms of this consent; c. consider and recommend any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community; d. review the following documents required to be prepared under the terms of this consent, ensure they are consistent with requirements in or under this consent and if so, endorse them prior to submission to the Secretary (if required to be submitted to the Secretary) or 	<p>ER Monthly Reports, from Pitt & Sherry:</p> <ul style="list-style-type: none"> - 1-31/1/24, dated 9/2/24 - 1-29/2/24, dated 7/3/24 - 1-31/3/24, dated 11/4/24 - 1-30/4/24, dated 1/5/24 - 1-31/5/24, dated 7/6/24 - 1-30/6/24, dated 10/7/24 	<p>The evidence provided indicates that the ER has been fulfilling their role throughout the audit period, in accordance with this condition.</p> <p>ER Monthly Reports (from Pitt & Sherry) have been submitted as required every month. Sighted email sent to the DPHI, post approval portal lodgement and requests for extension with the associated approvals from DPHI.</p>	C

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>prior to implementation (if not required to be submitted to the Secretary):</p> <ul style="list-style-type: none"> i. CEMP; ii. OEMP; and iii. the other plans and sub-plans required by these conditions, and referenced in conditions C1 and C3; <p>e. regularly monitor the implementation of all documents required to be prepared under the terms of this consent to ensure implementation is being carried out in accordance with what is stated in the document and the terms of this consent;</p> <p>f. as may be requested by the Secretary, help plan, attend or undertake Department audits of the development including scoping audits, programming audits, briefings, and site visits, but not independent audits required under condition C18 of this consent;</p> <p>g. if conflict arises between the Applicant and the community in relation to the environmental performance of the development, attempt to resolve the conflict, and if it cannot be resolved, notify the Secretary;</p> <p>h. consider any minor amendments to be made to the CEMP, CEMP sub-plans and monitoring programs that comprise updating or are of an administrative nature and are consistent with the terms of this consent and the CEMP, CEMP sub-plans and monitoring programs approved by the Secretary and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the terms of this consent; and</p> <p>i. prepare and submit to the Secretary and other relevant regulatory agencies, for information, a monthly Environmental Representative Report detailing the ER's actions and decisions on matters for which the ER was responsible in the preceding month (or other timeframe agreed with the Secretary). The Environmental Representative Report must be submitted within seven (7) days following the end of each month for the duration of construction of the development, or as otherwise agreed with the Secretary.</p>	<ul style="list-style-type: none"> - 1-31/7/24, dated 6/8/24 - 1-31/8/24, dated 3/9/24 - 1-30/9/24, dated 14/10/24 - 1-31/10/24, dated 13/11/24 <p>Email to DPHI re. MPES2 ER Monthly Report for:</p> <ul style="list-style-type: none"> - Jan 2024, 9/2/24 - Feb 2024, 7/3/24 - Mar 2024, 12/4/24 - Apr 2024, 1/5/24 - May 2024, 7/6/24 - Jun 2024, 10/7/24 - Jul 2024, 7/8/24 - Aug 2024, 7/9/24 - Sep 2024, 14/10/24 - Oct 2024, 5/11/24 <p>DPHI post approval portal lodgement receipts:</p> <ul style="list-style-type: none"> - Jan 2024, 9/2/24 - Mar 2024, 11/4/24 - Apr 2024, 1/5/24 - May 2024, 7/6/24 - Jun 2024, 10/7/24 - Jul 2024, 7/8/24 - Aug 2024, 6/9/24 - Sep 2024, 14/10/24 <p>Email to DPHI for late submission of ER Monthly Report and approval for:</p> <ul style="list-style-type: none"> - Jan 2024, request extension 5/2/24 approved 5/2/24 - Mar 2024, request extension 2/4/24 approved 3/4/24 - Jun 24, request extension 2/7/24, approved 2/7/24 - Sep 2024, request extension 2/10/24, approved 4/10/24 - Oct 2024, request extension 4/11/24, approved 5/11/24 <p>Inspection Reports, Pitt & Sherry:</p> <ul style="list-style-type: none"> - 11/01/24, 30/01/24 - 08/02/24, 27/02/24 - 11/03/24, 21/03/24 - 09/04/24, 18/04/24 - 02/05/24, 16/05/24, 30/05/24 - 13/06/24, 28/06/24 		

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<ul style="list-style-type: none"> - 11/07/24, 26/07/24 - 08/08/24, 22/08/24 - 05/09/24, 24/09/24 - 03/10/24, 21/10/24 		



APPENDIX B – PLANNING SECRETARY AGREEMENT OF INDEPENDENT AUDITORS

NSW Planning ref: SSD-7628-PA-269

[REDACTED]
Aspect Environmental Pty Limited
ACN 160 157 666
Suite 117, 25-27 Solent Circuit
Norwest Business Park
Baulkham Hills NSW 2153
13/11/2024

Sent via the Major Projects Portal only

Subject: Moorebank Precinct East Stage 2 - Condition C18(a) Revised auditor endorsement request

[REDACTED]
I refer to your request (SSD-7628-PA-269) for the Secretary's endorsement for the revised team of suitably qualified, experienced and independent persons to conduct the upcoming Independent Environmental Audit (IEA) for Moorebank Precinct East Stage 2 (**project**), submitted as required by Schedule 2, Condition C18(a) of SSD-7628 as modified (**consent**) to the NSW Department of Planning, Housing and Infrastructure (**NSW Planning**) on 4 November 2024.

NSW Planning has reviewed the independent auditor nominations and based on the information you have provided is satisfied that the proposed person/s are suitably qualified, experienced, and independent.

In accordance with Schedule 2 Condition C18(a) of the consent and the NSW Planning *Independent Audit Post Approval Requirements* (2020) (**IAPAR**), as nominee of the Planning Secretary, I endorse the following independent audit team from WolfPeak Pty Ltd:

- [REDACTED] as lead auditor; and
- [REDACTED] as peer reviewer.

Please ensure this correspondence is appended to the final IEA report.

The IEA must be prepared, undertaken, and finalised in accordance with Conditions C18 and C19 of the consent and the IAPAR. Failure to meet these requirements will require revision and resubmission.

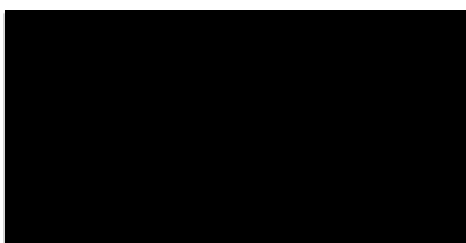
Please note that this is a revised agreement to the IEA team listed above for the remainder of the project's current phase only. If there are any changes to the approved audit organisation and/or

further revisions to the proposed team, a new request for the Secretary's endorsement must be submitted and agreed to prior to commencement of the relevant IEA.

NSW Planning nevertheless reserves the right to request an alternate auditor or audit team for future audits, should it be appropriate in the circumstances.

Should you wish to discuss the matter further, please contact the undersigned on (02) 8275 1169 or email compliance@planning.nsw.gov.au

Yours sincerely



A/Team Leader Compliance - Metro
Compliance

As nominee of the Planning Secretary



APPENDIX C – CONSULTATION RECORDS

Consultation with DPHI

From: [REDACTED]
Sent: Wednesday, 20 November 2024 3:36 PM
To: [REDACTED]
Subject: RE: Moorebank Intermodal Precinct East Stage 2 -
Independent Audit 2024

Good afternoon [REDACTED]

Apologies for the delay in getting back to you regarding consultation for the incoming Independent Environmental Audit for Moorebank Intermodal Precinct East Stage 2, SSD 7628.

Outside of the conditions of consent and the IAPAR requirements, NSW Planning has no specific areas to focus on.

We do however request you consult with Liverpool City Council, and include this correspondence and any responses you receive as evidence of consultation in the final report.

Please feel free to give me a call on (02) 8275 1169 if you have any questions.

Regards

[REDACTED]
A/Team Leader - Metro
Compliance
Department of Planning, Housing and Infrastructure

E [REDACTED]

www.planning.nsw.gov.au

4 Parramatta Square
12 Darcy Street
Parramatta NSW 2124

Working days Monday to Friday, 9:00am - 5:00pm



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

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

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

Please consider the environment before printing this email.



From: [REDACTED]
Date: Wednesday, 13 November 2024 at 12:03 PM [REDACTED]
To: [REDACTED]
Cc: [REDACTED] Daryle McKone [REDACTED]
Subject: Moorebank Intermodal Precinct East Stage 2 - Independent Audit 2024

Dear Sir/Madam,

I am one of the Independent Auditors assigned to the Moorebank Intermodal Precinct East – Stage 2, SSD 7628 (the Project). As we await approval from the Department, we have commenced the audit preparation process for the three-year Independent Audi. The audit is required to be conducted in accordance with SSD 7628 conditions C18, and the Department’s *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-east-stage-2>

The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf>

The site audit is planned to take place on the **2 of December 2024**. 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]
Lead Auditor – Risk, Audit & Compliance



E: [REDACTED]



Consultation with EPA

From: [REDACTED]
Sent: Wednesday, 13 November 2024 12:08 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Moorebank Intermodal Precinct East Stage 2 - Independent Audit 2024

Importance: High

Dear Sir/Madam,

I am one of the Independent Auditors assigned to the Moorebank Intermodal Precinct East – Stage 2, SSD 7628 (the Project). I'm currently preparing to undertake the three-year Independent Audit of the project. The audit is required to be conducted in accordance with SSD 7628 conditions C18, and the Department's *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-east-stage-2>

The IAPAR is available at the following link:
<https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf>

The site audit is planned to take place on the **2nd of December 2024**. The audit pertains to post-approval requirements and compliance.

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

I look forward to hearing from you.

Kind regards,

[REDACTED]

Lead Auditor – Risk, Audit & Compliance



[REDACTED]

Gadigal Country
Suite 2, Level 10, 82 Elizabeth St
Sydney NSW 2000



Consultation with Community Consultation Committee

From: [REDACTED]

Sent: Wednesday, 13 November 2024 12:35 PM

Subject:

FW: Moorebank Intermodal Precinct East Stage 2
- Independent Audit 2024

Hello [REDACTED]

I am one of the Independent Auditors assigned to the Moorebank Intermodal Precinct East – Stage 2, SSD 7628 (the Project). I'm currently preparing to undertake the three-year Independent Audit (construction phase) of the project. The audit is required to be conducted in accordance with SSD 7628 conditions C18, and the Department's *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-east-stage-2>

The IAPAR is available at the following link:

<https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf>

The site audit is planned to take place on the **2nd of December 2024**. The audit pertains to post-approval requirements and compliance.

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

I look forward to hearing from you.

Kind regards,

[REDACTED]

Lead Auditor – Risk, Audit & Compliance



[REDACTED]

Gadigal Country
Suite 2, Level 10, 82 Elizabeth St
Sydney NSW 2000



Consultation with Liverpool City Council

From: [REDACTED]

Sent: Wednesday, 20 November 2024 3:58 PM

To: [REDACTED]

[LCC](#)

Subject: Moorebank Intermodal Precinct East Stage 2 - Independent Audit 2024

Dear Sir/Madam,

I am one of the auditors assigned to undertake the Independent Audit at Moorebank Intermodal Precinct East – Stage 2, SSD 7628 (the Project).

I am currently preparing to conduct the three-yearly audit of the Project in accordance with the SSD 7628 Condition C18, 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-east-stage-2>

The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf>

The site audit is planned to take place on the **2 of December 2024**. The audit pertains to post-approval requirements and compliance.

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

I look forward to hearing from you.

Kind regards,

[REDACTED]

Lead Auditor – Risk, Audit & Compliance






[REDACTED]


Gadigal Country
Suite 2, Level 10, 82 Elizabeth St
Sydney NSW 2000







APPENDIX D – SITE INSPECTION PHOTOGRAPHS


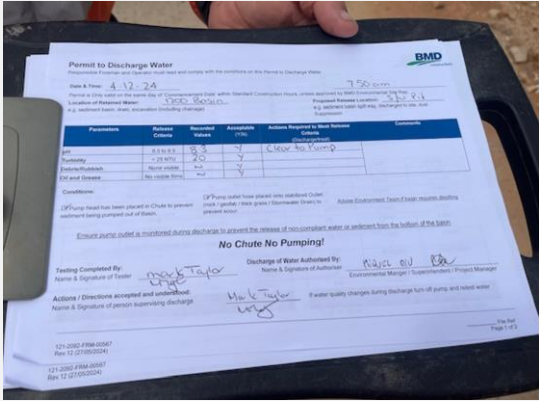
No.	Comment	Photograph
1	Moorebank Avenue Upgrade Works (MAUW) vehicle access gate to BMD – North side	
2	MAUW northern side main haul road	
3	MAUW embankment covered and maintained	

No.	Comment	Photograph
4	MAUW erosion and sediment controls in place	
5	MAUW vehicle access gate to BMD South side	
6	MAUW basin, erosion and sediment controls in place	

No.	Comment	Photograph
7	<p>MAUW Western batter with geofab, basins are tested and pumped, as required</p> <p>Demarcation in place and polymer applied</p>	
8	<p>South end of the site with polymer applied</p>	
9	<p>Sediment controls and geofab in place</p>	

No.	Comment	Photograph
10	Vehicle access gate with BMD signage and rumble grid in place	 
11	Eastern batter of sediment basin with demarcation in place and geofab maintained	

No.	Comment	Photograph
12	Eastern batter of sediment basin and geofab maintained	
13	Designated concrete washout area	
14	Filling along MAUW alignment continues	

No.	Comment	Photograph
15	Pumping of water and permit to discharge in place	 



APPENDIX E – DECLARATION FORMS

Project Name:	Moorebank Intermodal Precinct East - Stage 2
Consent Number:	SSD 7628
Description of Project:	Construction and operation of Stage 2 of the SIMTA Concept Plan comprising: <ul style="list-style-type: none"> • Earthworks including the importation of 600,000m³ of fill and vegetation clearing. • Approximately 300,000m² GFA of warehousing and ancillary facilities • Warehouse fit out. • Freight village, with 8,000m² GFA of ancillary retail, commercial and light industrial land uses. • Internal road network and hardstand across site. • Ancillary supporting infrastructure within the site. • Moorebank Avenue upgrade. • Intersection upgrades along Moorebank Avenue. • Operation 24 hours a day, seven days per week.
Project Address:	Lot 1 DP 1048263; Parts of Lot 1,2 and 4 DP 1197707, Moorebank Avenue
Proponent:	Sydney Intermodal Terminal Alliance (SIMTA), as LOGOS
Title of Audit	Independent Audit 2024
Date:	4 February 2025

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:	Bachelor of Industrial Engineering and Master of Engineering Management Exemplar Global Lead Environmental Auditor 2022 (No. 115421) Exemplar Global Principal Safety and Quality System Auditor 2012 (No. 115421)
Company:	WolfPeak Group Pty Ltd



APPENDIX F – ATTENDANCE SHEET



INDEPENDENT AUDIT MEETING ATTENDANCE RECORD

PROJECT (NAME AND APPROVAL NUMBER)	Moorebank Precinct East - stage 2 (SSD 7628)			
LOCATION:	Moorebank Avenue (Logos/Aspect office)			
DATE/TIME (Opening Meeting):	2/12/24 - 9:00am	DATE/TIME (Closing Meeting):	4/12/24 - 1:30pm	
Lead Auditor:	[REDACTED]	Audit Scope:	SSD 7628 (Construction)	
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE	
			Opening Meeting	Closing Meeting
[REDACTED]	Lead Auditor	wolfPeak	[REDACTED]	
[REDACTED]	Associate	Aspect Environmental	[REDACTED]	
[REDACTED]	Associate Director	" "	[REDACTED]	
[REDACTED]	Environment Manager	BMD	[REDACTED]	