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Attn: Compliance Team  
Planning and Assessment  
Department of Planning, Housing and  
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Locked Bag 5022  
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NSW 2124

24 February 2025

## Response to Moorebank Precinct East Stage 2 (SDD7628) Independent Audit 3 (C18)

Dear [REDACTED]

The MPE Stage 2 independent audit number three was undertaken in accordance with consent condition C18. The site inspection was conducted by the approved independent audit team (WolfPeak) on 2 December 2024. The final audit report was received on 18 February 2025.

WolfPeak identified the following non-compliance –

- B65 The construction hours detailed in Table 2 must be complied with, except where they may be undertaken under Condition B66.

**Non-Compliance:** 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.

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).

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 was carried out within the approved hours (not the OOHW). Non-compliance is considered closed.

Applicant Response

B65 – This non-compliance was investigated by the Department and a warning letter was issued to LOGOS on the 19 December 2024. LOGOS/ESR no longer permits the use of Helicopters outside of CoC B65 construction hours.

Given that the Department is aware of this non-compliance and has issued a Warning Letter, it is ESRs position that a C16 notification for this non-compliance following its identification in the audit is not required.

Should you have any queries, please do not hesitate to contact me on [REDACTED] or [REDACTED]  
[REDACTED]

[REDACTED]

Yours sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]