

INDEPENDENT AUDIT REPORT

MOOREBANK INTERMODAL PRECINCT EAST OPERATIONS

STAGE 1 Intermodal Facility (SSD-6766) and STAGE 2 Warehousing (SSD-7628)

JULY 2024

Authorisation

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ABBREVIATIONS / GLOSSARY

Abbreviation/Term	Description
CEMP	Construction Environment Management Plan
CPESC	Certified Professional in Erosion and Sediment Control
DG	Dangerous Goods
DPHI or Department	Department of Planning, Housing and Infrastructure (formerly Department of Planning and Environment or DPE)
EIS	Environmental Impact Statement
ESCP	Erosion and Sediment Control Plan
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 (the Department, 2018)
MPE	Moorebank Precinct East
OEMP	Operational Environmental Management Plan
POEO	<i>Protection of the Environment Operations 1997</i>
RtS	Response to Submission
SSD	State Significant Development

EXECUTIVE SUMMARY

The Moorebank Logistic Park (MLP) aims to streamline the freight logistics supply chain from port to store and help service the rapidly growing demand for imported goods in south-west Sydney. The MLP is located approximately 27 kilometres (km) south-west of the Sydney Central Business District and approximately 26 km west of Port Botany within the Liverpool Local Government Area. The MLP is divided into an East Precinct and a West Precinct, located east and west of Moorebank Avenue respectively.

The Moorebank Precinct East (MPE) Stage 1 development specifically involves the construction and operation of the intermodal terminal facility (IMEX) including truck processing and loading areas, rail loading and container storage areas, an administration facility and associated carparking, a rail link connecting the southern end of the site to the Southern Sydney Freight Line, and associated works including rail sidings, vegetation clearing, remediation and levelling works, and drainage and utilities installation.

The MPE Stage 2 development comprises warehousing and ancillary offices, warehouse fit-out, freight village with ancillary retail, commercial and light industrial land uses, internal road network and hard stand across site, ancillary supporting infrastructure within the site and the upgrade of the Moorebank Avenue.

This Independent Audit relates to the operational phase of MPE (or the Project). The Project is a staged development subject to several development consents and approvals under State and Commonwealth legislation. The following consents and approvals were granted by the now named Department of Planning, Housing and Industry (the Department or DPHI) under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act):

- MPE Concept Plan Approval (MP10_0193) on 29 September 2014
- MPE Stage 1 Intermodal Facility, State Significant Development (SSD) 6766, granted 12 December 2016 (and upheld with revised conditions by the Land Environment Court on 13 March 2018)
- MPE Stage 2 Warehousing, State Significant Development (SSD) 7628, granted 31 January 2018. The SSD 7628 has been modified in six occasions as follows:
 - Modification 1, granted 14 March 2022 (SSD 7628 MOD 1)
 - Modification 2, granted 31 January 2020 (SSD 7628 MOD 2)
 - Modification 3, granted 18 December 2020 (SSD 7628 MOD 3)
 - Modification 4, granted 19 January 2021 (SSD 7628 MOD 4)
 - Modification 5, granted 4 September 2023 (SSD 7628 MOD 5)
 - Modification 6, granted 22 February 2024 (SSD 7628 MOD 6)

As a controlled action, the Project was also required to obtain approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval (EPBC: 2011/6229) was granted by the now named Department of Climate Change, Energy, the Environment and Water (DCCEE) on 6 March 2014.

Operations of the IMEX terminal, rail link and area 1 commenced in May 2020. Area 2 commenced operations in the fourth quarter of 2020. Warehouses in areas 3 to 6 were completed and operations in all of them started during 2020. Warehouse 7 operations commenced in February 2024.

In 2022, LOGOS Property took over the management of the warehouse and distribution facilities, as well as the overall management of the MPE. Qube Logistics will continue to maintain responsibility for the IMEX and the Rail Link.

SSD 6766 Conditions of Consent G16 and SSD 7628 Conditions C18 set out the requirements for undertaking Independent Audits. In summary the Independent Audits are required to be:

- 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, Council and the CCC;
- assess the environmental performance of the development (and tenancies);
- assess whether it is complying with the relevant requirements of the consents, and any strategy, plan or program required under this consent;
- review the accuracy of predicted environmental outcomes in the environmental assessment documents;
- review the adequacy of any approved strategy, plan or program required under this consent; and
- recommend appropriate measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under the consents.

Although the development consents do not specifically require the audit to comply with *Independent Audit Post Approval Requirements* (IAPAR), this Independent Audit has sought to address the methodologies and reporting requirements from the IAPAR to the extent that they do not contradict the terms of SSD 6766 and SSD 7628.

This Audit Report presents the findings from the second Independent Audit of the operations of the MPE, covering the period from May 2021 to May 2024. The objective of Independent Audit was to satisfy SSD 6766 Condition G16, SSD 7628 Condition C18, verify compliance with the relevant Conditions of SSD 6766, SSD 7628 and EPBC: 2011/6229, and assess the effectiveness of environmental management on the Project.

The overall outcome of the Independent Audit was positive with some deficiencies identified primarily of an administrative and reporting nature. Compliance records were organised and available at the time of the site inspection and interviews with Project personnel. Relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance with statutory requirements and the broader Project environmental requirements.

Summary of Findings

The Audit findings are summarised as follows:

- There were 356 conditions assessed (117 from SSD 6766, 222 from SSD 7628 and 17 from EPBC 2011/6229).
- In relation to SSD 6766:
 - One non-compliance was identified which relate to the submission of the Annual Noise Review Reports for 2022 and 2023 to the Department and the EPA (condition G15).
- In relation to SSD 7628:
 - Five non-compliances were identified related to the submission of the Biannual Trip Origin Report to the Department (condition B28), submission of the Operational Compliance Measurement Reports to the Department (condition B85), submission of the Annual Noise Review Report to the Department and the EPA (condition B87), preparation of the Final Hazard Analysis for Warehouse 7 and submission to the Department (condition B114A), preparation of the Safety Management Plan (SMP) for Warehouse 7 and submission of the SMP and the Emergency Plan to the Department (condition B114B).
 - Two observations were raised regarding discrepancies in the version dates of the Operational Noise and Vibration Management Plan and the review of the non-compliances process to capture non-compliances from the implementation of the Operational Management Plans.
- The applicable conditions of the EPBC 2011/6229 were all compliant.

Detailed findings are presented in Section 3 and Appendix A and B, along with the adequacy of management plans and the actions taken by the Applicant to address the audit findings.

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

1. INTRODUCTION

1.1 Project overview

The Moorebank Logistic Park (MLP) aims to streamline the freight logistics supply chain from port to store and help service the rapidly growing demand for imported goods in south-west Sydney. It is located approximately 27 kilometres (km) south-west of the Sydney Central Business District and approximately 26 km west of Port Botany within the Liverpool Local Government Area. The MLP is divided into an East Precinct and a West Precinct, located east and west of Moorebank Avenue respectively.

The MPE Stage 1 (SSD 6766) development specifically involves the construction and operation of the intermodal terminal facility (IMEX) including truck processing and loading areas, rail loading and container storage areas, an administration facility and associated carparking, a rail link connecting the southern end of the site to the Southern Sydney Freight Line, and associated works including rail sidings, vegetation clearing, remediation and levelling works, and drainage and utilities installation.

The MPE Stage 2 (SSD 7628) development comprises warehousing and ancillary offices, warehouse fit-out, freight village with ancillary retail, commercial and light industrial land uses, internal road network and hard stand across site, ancillary supporting infrastructure within the site and the upgrade of the Moorebank Avenue.

This Independent Audit relates to the operational phase of MPE (or the Project). An overview of MPE is presented in Figure 1.

The Project is a staged development subject to several development consents and approvals under State and Commonwealth legislation. The following consents and approvals were granted by the now named Department of Planning, Housing and Industry (the Department or DPHI) under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act):

- MPE Concept Plan Approval (MP10_0193) on 29 September 2014
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 - Modification 4, granted 19 January 2021 (SSD 7628 MOD 4)
 - Modification 5, granted 4 September 2023 (SSD 7628 MOD 5)
 - Modification 6, granted 22 February 2024 (SSD 7628 MOD 6)

As a controlled action, the Project was also required to obtain approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval (EPBC: 2011/6229) was granted by the now named Department of Climate Change, Energy, the Environment and Water (DCCEE) on 6 March 2014.

The main features of the Project, SSD 6766 and SSD 7628, include:

- an intermodal terminal facility (IMEX) in operation 24 hours, 7 days a week handling a container freight volume of up to 250,000 twenty-foot equivalent units (containers) p.a. including truck processing and loading areas, rail loading and container storage areas, and an administration facility and associated carparking;
- a rail link connecting the southern end of the site to the Southern Sydney Freight Line (SSFL) traversing Moorebank Avenue, Anzac Creek and Georges River;
- associated works including rail sidings, vegetation clearing, remediation and levelling works, and drainage and utilities installation;
- earthworks including the importation of 600,000m³ of fill and vegetation clearing;
- approximately 300,000m² GFA of warehousing, including 7 warehouses and ancillary offices;
- 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, including:
 - stormwater, drainage and flooding infrastructure
 - utilities relocation/installation
 - fencing, signage, lighting, remediation and landscaping;
- Moorebank Avenue upgrade including:
 - raising by about two metres and some widening
 - embankments and tie-ins to existing Moorebank Avenue road levels
 - signalling and intersection works;
- intersection upgrades along Moorebank Avenue including:
 - Moorebank Avenue/MPE Stage 2 access
 - Moorebank Avenue/MPE Stage 1 northern access
 - Moorebank Avenue/MPE Stage 2 central access
 - MPW Southern Access/MPE Stage 2 southern emergency access; and
- operation 24 hours a day, seven days per week.

Operations of the IMEX terminal, rail link and area 1 commenced in May 2020. Area 2 commenced operations in the fourth quarter of 2020. Warehouses in areas 3 to 6 were completed and operations in all of them started during 2020. Warehouse 7 operations commenced in February 2024. Refer to figure 2 development layout and progressive staging of the MPE.

In 2022, LOGOS Property took over the management of the warehouse and distribution facilities, as well as the overall management of the MLP East Precinct. Qube Logistics maintains responsibility for the IMEX and the Rail Link.



Figure 1: Moorebank Precinct East Location (Source: OEMP, SIMTA 20 January 2023)

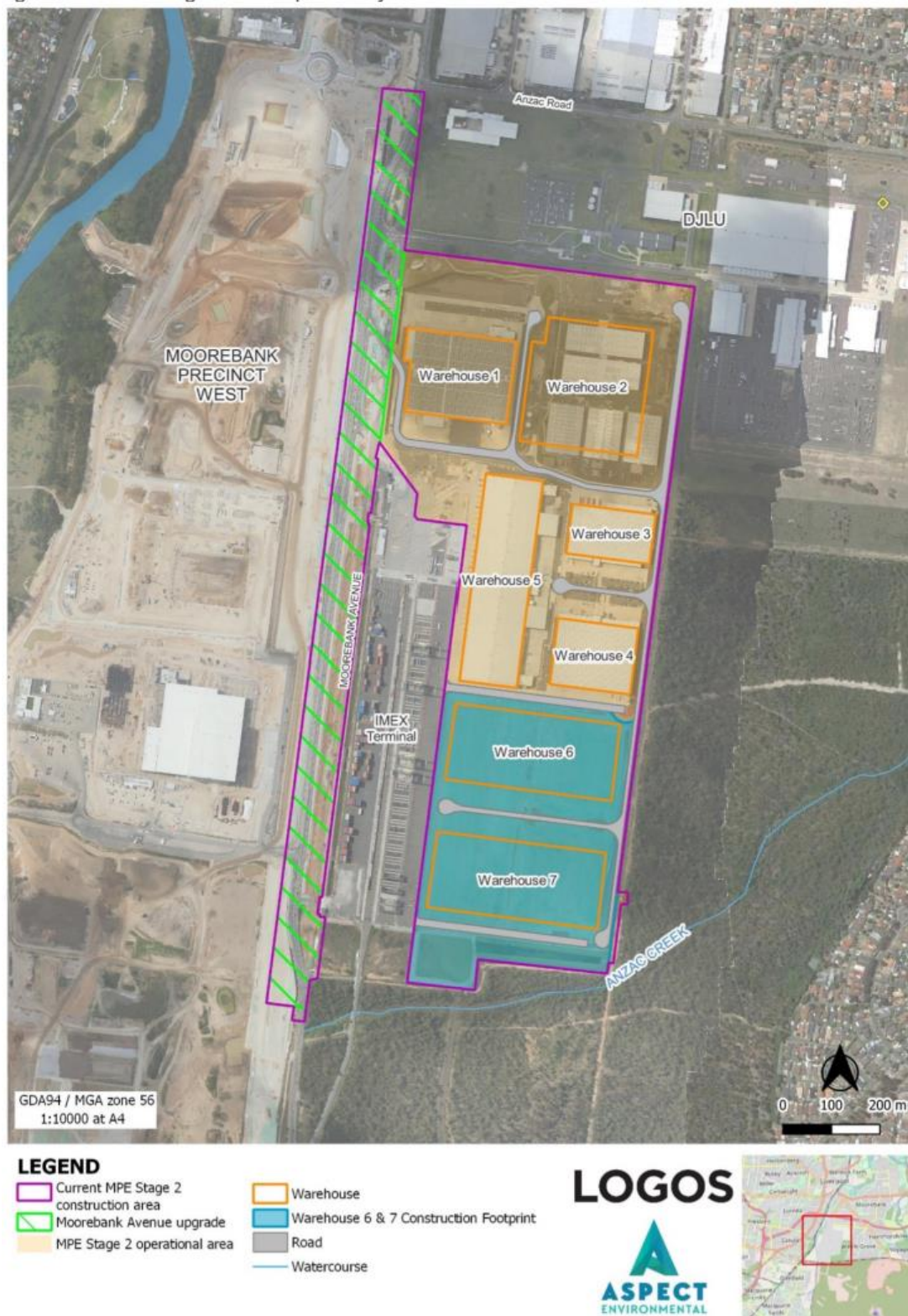


Figure 2: MPE Stage 2 Development Layout (source: Annual Review MPE Stage 2, LOGOS, 30 August 2023)

1.2 Approval requirements

The MPE Concept Plan Approval (MP10_0193) did not grant consent to construction or operation of any part of the project and any operational assessment requirements were required to be addressed by subsequent development applications (MPE Stage 1 and Stage 2). There are no operational compliance requirements under MP10_0193 that apply to this Independent Audit.

SSD 6766 (MPE Stage 1) and SSD 7628 (MPE Stage 2) both include specific Independent Auditing requirements. These requirements are summarised in Table 1.

Table 1: SSD 6766 and SSD 7628 Independent Audit Requirements

Consent No.	Condition	Requirement
SSD 6766 (MPE Stage 1)	G16	<p><i>Within 12 months of the commencement of operation, and thereafter at any other stage bi-annually if required by the Secretary, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the SSD. This audit shall:</i></p> <ul style="list-style-type: none"> <i>a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary</i> <i>b) include consultation with the relevant agencies and local Councils</i> <i>c) assess the environmental performance of the SSD and assess whether it is complying with the requirements in this approval, and any other relevant approvals (including any assessment, plan or program required under these approvals)</i> <i>d) review the accuracy of predicted environmental outcomes discussed in the documents listed in condition A1</i> <i>e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and</i> <i>f) recommend measures or actions to improve the environmental performance of the SSD, and/or any strategy, plan or program required under these approvals.</i> <p><i>Within 60 days of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary and relevant public authorities, together with its response to any recommendations contained in the audit report. The audit report and response to any recommendations shall be published on the Project website.</i></p>
SSD 7628 (MPE Stage 2)	C18	<p><i>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</i></p>

Consent No.	Condition	Requirement
		<p><i>pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:</i></p> <p><i>a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary</i></p> <p><i>b) be carried out in consultation with the relevant agencies and the CCC</i></p> <p><i>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</i></p> <p><i>d) review the adequacy of any approved strategy, plan or program required under this consent; and</i></p> <p><i>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.</i></p>
SSD 7628 (MPE Stage 2)	C19	<p><i>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.</i></p>

EPBC Approval 2011/6229 provides Conditions of Approval which relate to operation of the MPE Project, however, Independent Audits are not specifically required unless directed by the Minister under Condition 13. Notwithstanding, the now Department of Planning, Housing and Infrastructure (the Department)¹ *Independent Audit Post Approval Requirements (IAPAR)* require the conditions of *all environmental licences and approvals applicable to the development (excluding environmental protection licences issued under the Protection of the Environment Operations Act 1997)* be audited and the Condition G16 of SSD 6766 requires the Independent Audit to assess whether the Project is complying with the consent, and any other relevant approvals.

¹ Following the release of the NSW Government Administrative Arrangements Order (No 6) 2023, effective 1 January 2024, business units within the former Department of Planning and Environment were re-aligned into Department of Planning, Housing and Infrastructure (Department , or DPHI).

1.3 The audit team

In accordance with SSD 6766 Condition G16 and SSD 7628 Condition C18, Independent Auditors must be suitably qualified, experienced, and independent of the Project, and appointed by the Planning Secretary. The list of independent auditors who performed the auditing works are shown on Table 2.

Table 2: Audit Team

Name	Company	Participation	Certification
Ana Maria Munoz	WolfPeak	Lead Auditor	Master of Engineering Management Exemplar Global Certified Lead Environmental Auditor (Certificate No 115421).
Ricardo Prieto-Curiel	WolfPeak	Auditor (Attended to site inspection only) and Peer Reviewer	Exemplar Global Certified Lead Environmental Auditor (Certificate No 15160). Registered Environmental Assessment Practitioner, Master's in environmental Toxicology.

Approval of the Audit Team was provided by the Department on 22 April 2024. The letter is presented in Appendix D.

1.4 The audit objectives

The objective of this Independent Audit is to satisfy SSD 6766 Condition G16 and SSD 7628 Condition C18, verify compliance with the relevant Conditions of SSD 6766, SSD 7628 and EPBC: 2011/6229 and assess the effectiveness of environmental management on the Project.

Although the development consents do not specifically require the audit to comply with *Independent Audit Post Approval Requirements* (IAPAR), this Independent Audit has also sought to address the methodologies and reporting requirements from IAPAR to the extent that they do not contradict the terms of SSD 6766 and SSD 7628.

1.5 Audit scope

This Independent Audit relates to the Project Operational activities from May 2021 to May 2024. This audit does not cover construction.

The scope of the Independent Audit comprises the requirements of Condition G16 of SSD 6766 and Condition C19 of SSD 7628 in Table 1. The Audit also covered the requirements of the IAPAR including:

- an assessment of compliance with:
 - all conditions of consent applicable to the phase of the development that is being audited (operations)

- 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 review of the project's environmental management systems
- a high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and
- any other matters considered relevant by the auditor or the Department, taking into account relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.

2. AUDIT METHODOLOGY

2.1 Audit process

The Audit was conducted in a manner consistent with *AS/NZS ISO 19011.2019 – Guidelines for Auditing Management Systems* and the methodology set out in the Department's IAPAR to the extent that they do not contradict the terms of SSD 6766 and SSD 7628.

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 Project team in preparation for the Independent Audit.

2.2.3 Consultation

On 17 April 2024 WolfPeak consulted with the Department, and on the 8 May 2024 with the NSW Environment Protection Authority (EPA) and Liverpool City Council to obtain their input into the scope of the Independent Audit in accordance with SSD 6766 Condition G16, SSD 7628 Condition C18 and Section 3.2 of the IAPAR. The consultation records are presented in Appendix D. A summary of the key issues and areas of focus raised by the stakeholders is presented in Table 3.

Consultation with the Community Consultation Committee (CCC) was undertaken on the 20 June 2024 and response received on the 2 July 2024.

Table 3: Consultation Results

Stakeholder	Issues and Focus	How Addressed
Department of Planning, Industry and Environment	No response	-
NSW EPA	No response	-
Liverpool City Council	Council advised that the Environmental Management and Environmental Health team did not have matters to raise.	-

Stakeholder	Issues and Focus	How Addressed
	The traffic department requested that relevant document and evidence be provided when auditing any traffic related conditions of consent.	Refer to section 3.9.2 and Appendix A and B
Community Consultation Committee	The Committee Representatives provided the following feedback and comments:	
	<i>“There seems to be a considerable number of older rolling stock passing by and I would like confirmation that the new Rolling stock (wagon, trays etc.) and Engines are in the procurement stages and date of implementation can be advised.”</i>	The auditor considers this item outside of the audit scope. The planning approval is based on the performance requirements not the age of the equipment.
	<i>“The height of the lighting towers along the rail siding seems to be excessively high... I note that many of the new intermodals have a policy of lower poles so as to prevent light spill and sustainability. We were advised during the design process that light spill would be address and I cannot recall at any time the residents or CCC being advised that there would be such lighting towers installed.”</i>	Compliance with lighting design was addressed during the construction phase of the project. Condition F3 of SSD 6766 provides evidence of the Statement of Compliance from Northrop (28 June 2019) and the Occupation Certificate from McKenzie Group (16 July 2019).
	<i>“The occupation of the nest for native wildlife. There were many trees which housed thousands of native birds and yet only a few nest boxes were installed by the project and to my knowledge there has only been the one report which showed many boxes were empty or in poor condition. It would be nice to get an update projects performance and if any of the newer internal nesting boxes have been installed.”</i>	The Auditor notes that this request was received on the 1 July 2024, after the site audit inspection was completed (8 May 2024). The Auditor attempted to address this based on the documents provided by the Applicant during the audit interviews. Biodiversity requirements and associated reports were sighted; refer to conditions B106, B107 and B110 of the SSD 7628.
	<i>“My understanding is that the Proponent is required to monitor emissions of particulate matter 2.5 and 10, sulphur and nitrogen oxides and hydrocarbons. Currently, the data provided by the proponent shows that emissions are generally below the recommended levels. The abovementioned emissions are primarily derived from diesel trucks and while truck movements to and from the Intermodal remain at modest levels, emissions too are likely to remain below recommended levels. To date, the data provided at CCC meetings has been primarily sourced from Compliance reports which can take up to 9 months to be released. CCC meetings occur on a 3 monthly basis so feasibly, the data disseminated at meetings can be 12 months old.... The approval of the Intermodal project relied heavily on both traffic and emissions modelling that</i>	Please refer to section 3.6.2 ‘Other matters considered by the Auditor’. A suggestion was made regarding detail information and air quality data on the environmental performance of the project captured on the monthly reports and six-monthly compliance reports be provided to the Community Consultation Committee on a quarterly basis.

Stakeholder	Issues and Focus	How Addressed
	<i>is nearly a decade old. As the project is maturing, a proactive approach to allaying community concerns re potential emissions is strongly recommended. Could you please give consideration to ensuring that the CCC be provided with contemporaneous data (not 9-month-old data) that reveals the extent of increases in emissions, if any as truck movements increase."</i>	

2.2.4 Meetings

Opening and closing meetings were held with the Auditor and Project personnel. The attendance sheet can be found in Appendix F.

The audit opening meeting was held on the 8 May 2024 at the MPE site with project personnel and WolfPeak auditors. Key items discussed included:

- Confirm the purpose and scope of the audit
- Audit methodology, process and timing
- Overview of the MPE Operations and status of the works

A closing meeting was held on 9 May 2024 where the audit findings were presented, preliminary recommendations (as appropriate) were made, and any post-audit actions were confirmed.

2.2.5 Interviews

The Auditor conducted interviews on 8 and 9 May 2024 with key personnel during and following the site inspection. During the inspection key personnel involved in the MPE Operations, including those with responsibilities for environmental management, who could assist on verifying the compliance status of the development were interviewed. All other communication was conducted remotely, which included detailed request for information and proponent responses to the request. The names of personnel interviewed during the audit are provided in Appendix F.

2.2.6 Site inspection

The on-site audit activities included an inspection of the entire site and work activities to verify implementation of mitigation measures from the OEMP and subplans relevant to the Operations and works taking place at the time of the inspection.

The site inspection was conducted on 8 May 2024 and detailed observations are discussed in Section 3 and Appendix A. Photos taken during the inspections are presented in Appendix G.

2.2.7 Document review

The Audit included investigation and review of Project files, records and documentation that acts as evidence of compliance (or otherwise) with a compliance requirement. The documents sighted are referenced in the compliance tables presented in Appendices A, B and C and key documents reviewed are provided in Section 3.1.

2.2.8 Generating audit findings

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

- Relevant records, documents and reports
- Interviews of relevant site personnel
- Photographs
- Figures and plans; and
- Site inspections of relevant locations, activities and processes.

Section 3 presents the general audit findings and Section 4 presents the summary of findings and recommendations.

2.2.9 Compliance evaluation

The Auditor determined the compliance status of each compliance requirement in the Audit Table in Appendices A, B and C 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 and their content is adequate.
- Have been implemented in accordance with the conditions.

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

- There are any non-compliances resulting from the implementation of the documents.
- Whether there are any opportunities for improvement.



2.2.11 Completing the audit

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

The documents audited comprised those prepared under the conditions from SSD 6766, SSD 7628 and EPBC 2011/6229 applicable to the works being undertaken at the time of the audit.

The evidence sighted against each requirement is detailed within Appendices A, B and C. The primary documents reviewed during this audit are as follows:

- *SIMTA Intermodal Terminal Facility – Stage 1 – Environmental Impact Statement, Hyder, May 2014 (SSD 6766 EIS)*
- *SIMTA Intermodal Terminal Facility – Stage 1 – Response to Submissions, Hyder, September 2015 (SSD 6766 RtS)*
- *Development Consent SSD 6766, Land Environment Court decision 13 March 2018*
- *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)*
- *Development Consent SSD 7628, granted 31 January 2018*
- *Program For Operational Phase Documentation, Moorebank Logistics Park – East Precinct, SIMTA, 22 March 2019 (the POPD)*
- *Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, Rev.18, 20 January 2023, SIMTA (the OEMP)*
- *Stormwater Infrastructure Operation and Maintenance Plan Moorebank Logistics Park – East Precinct, 23 January 2023, SIMTA (the SIOMP), Rev.8*
- *Operational Air Quality Management Plan, SIMTA, 23 January 2023 (OAQMP), Rev. 12*
- *Operational Noise and Vibration Management Plan, SIMTA, 24 January 2023 (the ONVMP) Rev.13*
- *Operational Traffic and Access Management Plan, SIMTA, 23 January 2023 (OTAMP), Rev. 14*
- *Operational Waste and Resources Management Plan, SIMTA, 23 January 2023 (OTAMP), Rev. 11*
- *Operational Flora and Fauna Management Plan, SIMTA, 13 January 2023 (OTAMP), Rev. 09*
- *Heritage Interpretation Plan, 27 June 2019 (the HIP)*
- *Operational Emergency Response Plan, SIMTA, 24 January 2023 (the OERP) Rev.15*

- *Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19 March 2021 (the BEEMP)*
- *Workplace Travel Plan, SIMTA, 13 November 2019 and 26 March 2020 (the WTP)*

3.2 Previous Audit Findings

The status of the previous audit findings and Applicant responses were reviewed during this audit and are summarised in Table 5. Audit findings from SSD 6766 were all addressed except for one, as not enough evidence was presented to demonstrate that containers are predominantly transferred by rail as required by Condition G10. Regarding the audit findings from SSD 7628 they were all addressed and considered closed.

3.3 Summary of Compliance

This section, including Table 6, presents the summary of compliance and recommended actions in response to each of the findings from this Audit on the MPE Operations. Detailed findings against each requirement are presented in Appendices A, B and C. In Summary:

- There were 356 conditions assessed (117 from SSD 6766, 222 from SSD 7628 and 17 from EPBC 2011/6229).
- In relation to SSD 6766:
 - Thirty-two (32) conditions were compliant.
 - Eighty-four (84) conditions were not triggered.
 - One (1) non-compliance was identified for condition G15 which relate to the submission of the Annual Noise Review Reports for 2022 and 2023 to the Department and the EPA.
- In relation to SSD 7628:
 - Ninety-two (92) conditions were compliant.
 - One hundred and twenty-five (125) conditions were not triggered.
 - Five (5) non-compliances were identified, which relate to:
 - the submission of the Biannual Trip Origin Report to the Department as per condition B28
 - the submission of the Operational Compliance Measurement Reports to the Department for each/all warehouses that have been occupied as per condition B85
 - the submission of the Annual Noise Review Report to the Department and the EPA within the required timeframe as per condition B87
 - the development of the Final Hazard Analysis for Warehouse 7 covering all the requirements listed in condition B114A and submission to the Department
 - the development of a Safety Management Plan for Warehouse 7 covering all the requirements listed in condition B114B and the submission of this document along with the Emergency Plan for Warehouse 7 to the Department

- Two observations were raised, which pertain to discrepancies in the Operational Noise and Vibration Management Plan version dates and the review of the non-compliances process to capture non-compliances from the implementation of the Operational Management Plan.
- The applicable conditions of the EPBC 2011/6229 were all compliant

Table 5: Previous Audit Findings (from IA1)

Item	Condition Ref. No.	Type	Details of item	Proposed or completed action	By whom and by when	Status
MPE Stage 1 – SSD 6766						
1	F4 (and FCMM 7D)	Observation	<p>CoC F4 requires that the Applicant shall prepare and implement (following approval) an Operation Environmental Management Plan (OEMP).</p> <p>FCMM from within the OEMP states that residual risk of contamination to soils and groundwater during operation of the Proposal will be mitigated through the implementation of the following mitigation measures, which will be included within the OEMP for the site:</p> <ul style="list-style-type: none"> - The proposed diesel tank (used for refuelling) will be self-bunded and compliant with AS - 1940-2004 The storage and handling of flammable and combustible liquids. - An Emergency Response Plan (including a Pollution Incident Response Management Plan) will be developed for operation of the Proposal. A spill kit will be provided within the Stage 1 site at all times. - A refuelling procedure will be developed and implemented for all refuelling activities undertaken and included in the site OEMP. <p>The point of refuelling the Reach Stacker Cranes is not adequately bunded. In the event of a loss of containment, the spilled material has the potential to enter the rail corridor and / or the stormwater network.</p>	<p>IA2 update: Email from NSW Safety, Health and Sustainability Manager Qube Logistics dated 16 May 2024 confirms that there was a bund placed within Rail Line 1 to capture any spills and this ran into the traverser area and liquid(s) entering this area was then managed by the oil water separator. Strips on the ground were reseated with some type of filler membrane between the strip and the ground. These then became part of the site maintenance program and were inspected as part of the facility inspections.</p> <p>Sighted Reach Stacker Inspection checklist, Forklift Operator Pre-Start-up Checklist, Vehicle refuelling procedure and Locomotive Fuelling Procedure from Qube.</p>	SIMTA	CLOSED
4	G8	Observation	<p>CoC G8 requires that the following measures must be implemented during operation:</p> <ol style="list-style-type: none"> The use of top of rail friction modifiers and automatic rail lubrication equipment in accordance with ASA Standard T HR TR 00111 ST Rail Lubrication, where required; and Measures to ensure the rail cross sectional profile is maintained in accordance with ETN-01-02 Rail Grinding Manual for Plain Track to ensure the correct wheel / rail contact position and hence to encourage proper rolling stock steering. <p>On the day of the site inspection it was observed that there was buckling on the Rail Link approximately 200m south of the IMEX Terminal. It is unclear as to whether this adversely impacts rail cross sectional profile. The auditees advise that the infrastructure is still within the contractors defect liability period.</p>	<p>IA2 update: Regarding the previous audit finding, buckling of the rail line, it was indicated that the most recent track maintenance reports provided confirmation that there is no present rail buckling and this issue was addressed as part of defect rectification works as envisaged at that time. Sighted Defects report for April and May 2023 from JMDR. Qube's rail maintenance repair executed.</p>	SIMTA (or responsible contractor) 30/09/21 (for the completion of the investigation and identification of recommendations, if any)	CLOSED
5	G10	Non-compliance	<p>CoC G10 requires that containers must be transferred between the site and Port Botany predominantly by rail, unless where unforeseen circumstances have occurred (e.g. an incident, breakdown, derailment or emergency maintenance on the rail line). The Secretary may at any time request the Applicant to demonstrate that the transport of containers between the site and Port Botany container terminals is by rail. This is to be demonstrated upon request by the Secretary for the prior 12-month period.</p> <p>There was no evidence available to demonstrate that containers are predominantly transferred by rail. The auditees advised that there is a methodology in place to manage this requirement should the Secretary request this information, however this was not presented to the Auditor.</p>	<p>IA2 update: The Biannual Trip Origin Destination Report (BTODR) outlines the number of containers being received and dispatched in a month in comparison to the number of trucks coming in out of the site. All import volumes via rail come from Port Botany as it's the only Port on the Moorebank line. All volumes are distributed to the various Warehouses for offsite distribution by truck. Sighted BTODRs and the Moorebank IMEX KPI for the Financial Year 2024, the graphs presented showed Qube Train Arrivals, External Train Arrivals and Total TEU.</p> <p>A turning movement survey from Trains Traffic Survey, dated 18 March 2024 was also presented, however the auditor does</p>	SIMTA	OPEN

Item	Condition Ref. No.	Type	Details of item	Proposed or completed action	By whom and by when	Status
				<p>not have the technical expertise to analyse this data.</p> <p>Based on the evidence presented it seems that containers are primarily transported by rail; however, the Auditor is concluding this based on the limited data, reports and other relevant information presented as part of the Biannual Trip Origin Destination Reports.</p> <p>This non-compliance remains Open.</p>		
7	G13	Non-compliance	<p>CoC G13 requires that the Applicant must carry out any activity, or operate any plant, in or on the premises by such practicable means as may be necessary to prevent or minimise air pollution.</p> <p>The January, February and March 2021 Monthly Air Quality Monitoring Reports identify exceedances of the PM₁₀ criteria that should be investigated. There was no evidence of any such investigations having been carried out.</p> <p>The Auditor also observes that the Six Monthly Operational Air Quality Compliance Report identified 7 x instances of exceedances of the PM_{2.5} 24 hr avg criteria and 20 x instances of exceedances of the PM₁₀ 24 hr avg criteria. Most of these were attributed by the Project to MPW works (material import activities, including operation of mobile plant and heavy vehicles and the import and handling of tunnel spoil). Correlation to MPE could not be confirmed.</p>	<p>IA2 update: Qube implements a Maintenance Program to ensure plant such as cranes, straddle carriers and container lifts are operational and managed correctly; the Operations Manual and Remote Console Operation Manual from Kalmar were presented. Terminals are operating electric cranes for rail operations.</p> <p>The auditee indicated that there has been no exceedances of significance that triggered an investigation. All six-monthly compliance reports are publicly available on the website and tenants are aware of their obligations under their lease and implementation of the OEMP and Sub-Plans. Compliance report No.7 indicated that the two exceedances of the PM₁₀ 24-hour average occurred at AQM02 which is located on the east of MPE due to roadworks along Moorebank Ave. The Department's comment on the Compliance Report No. 7 was for the Applicant to ensure measures are put in place as exceedances were low.</p> <p>A monthly internal air monitoring report is prepared by Arcadis. The reports review and analyse data, compare it to thresholds, identify exceedances (if any) and make recommendations. This is then compiled into a six-monthly report. Sighted reports for 2021, 2022 and 2023.</p> <p>Monthly Air Quality Monitoring Reports identifying exceedances of the PM₁₀ criteria, have been investigated. Sighted example for March 2024 report dated 14 May 2024 from Arcadis indicating that the one PM₁₀ 24-hour exceedance (50mg/m³) was identified at AQM03 due to OOHW along Moorebank Avenue.</p>	SIMTA	CLOSED

Item	Condition Ref. No.	Type	Details of item	Proposed or completed action	By whom and by when	Status
8	G15	Non-compliance	<p>CoC G15 requires that within 12 months of the commencement of operation of the Project, or as otherwise agreed by the Secretary, the Applicant shall undertake operational noise monitoring to compare actual noise performance of the project against noise performance predicted in the review of noise mitigation measures predicted in documents specified under condition A1 of the approval, and prepare an Operational Noise Report to document this monitoring. The Applicant shall (by way of CoC G15(h)) provide the Secretary and the EPA with a copy of the Operational Noise Report within 60 days of completing the operational noise monitoring, or as otherwise agreed by the Secretary.</p> <p>According to the dates of monitoring specified within the Draft Annual Noise Review, the Report has not been submitted to the identified stakeholders within 60 days of completion of the monitoring (as required by CoC G15(h)).</p>	The Annual Noise Review Report (ANRR) for the Year 1 Operations (2020–2021) dated 21 June 2021 was submitted to the Department 15 September 2021 and to the EPA on the 24 June 2021.	SIMTA Upon finalization of the Annual Noise Review Report.	CLOSED
MPE Stage 2 – SSD 7628						
9	A12	Non-compliance	<p>CoC A12 requires that the warehousing and distribution facilities must only be used for activities associated with freight using the MPE Stage 1 rail intermodal terminal.</p> <p>The Auditor requested that the auditee provide evidence to demonstrate that the warehouse and distribution facilities are confined to activities associated with freight from the MPE Stage 1 intermodal facility, given that there is significant opportunity for tenants to move freight from and to the road network without the use of MPE Stage 1. The auditee responded by stating without any supporting evidence that: <i>The intermodal issues daily the amount of TEUs to be issued to Tenants</i> and that there a methodology in place to manage this requirement should the Secretary request this information. Information to support this position was not presented to the Auditor.</p>	<p>IA2 update: Warehouse Operation Environmental Management Plans (WOEMP) were sighted for all the warehouses within the Moorebank Precinct East. Each WOEMP dictates the requirements for the operations within the warehouse. Tenants are required to comply with those requirements and have done so.</p> <p>Additionally, the Biannual trip Origin Destination Reports (BTODR) provide details on the Twenty Foot Equivalent Units (TEUs) and movements of the trucks, these reports are prepared six-monthly and provided to the DPHI. Moreover, there is a CCTV system in place to monitor the containers movement and trucks deliverables.</p>	SIMTA	CLOSED
10	B13	Non-compliance	<p>CoC B13 requires that the Applicant is to undertake road upgrades, in accordance with the specified timing requirements as set out in Table 1 of SSD 7628. This includes a requirement that 100% design for the road upgrades be approved by Transport for NSW prior to the issue of the Occupation Certificates.</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: <i>Detailed design and consultation with [Transport for NSW] TfNSW for the required upgrades is in progress and approved for the Moorebank Avenue upgrade works.</i></p> <p><i>The MPE Stage 2 Modification 1 application (SSD7628_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.</i></p> <p><i>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 DPIE.</i></p>	<p>IA2 update: Modification 1 (Mod-1) approval was received on the 14 March 2022 by the Department and published on the planning portal.</p> <p>The development is in accordance with the requirements from table 1</p>	SIMTA Prior to the road upgrade works commencing	CLOSED

Item	Condition Ref. No.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			<p><i>The approval of this Modification is still ongoing.</i></p> <p>The Auditor considers this to be a non-compliance until such time as Modification 1 is approved, or design is approved.</p>			
12	B29	Observation	<p>CoC B29 requires that, 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 was prepared and approved by the Department. In the Department's 28/04/20 approval letter they recommend that SIMTA continue to liaise with Transport for NSW to facilitate the successful implementation of the Workplace Travel Plan across the precinct. It is unclear how this is being fulfilled. Refer also the finding in relation to CoC B30 below.</p>	<p>IA2 update: Consultation with TfNSW was carried out for Modification 5 (Mod-5). A letter from TfNSW dated 4 September 2023 describes the changes to the road upgrades required to support Moorebank Logistics Park. Additionally, the auditee indicated that some corrective actions will be executed late 2024 as follows:</p> <ul style="list-style-type: none"> - Consultation with TfNSW and LCC regarding public transport. A letter request for information regarding plan for public transport in the area, and the plan would be to do this on a 6 monthly or annual basis depending on what TfNSW and/or LCC can or cannot offer. - Tenant WOEMP will include a review and update of each of the WOEMP to ensure that end of facilities are confirmed, and the workforce is regularly encouraged to use them. 	SIMTA	CLOSED
13	B30	Observation	<p>CoC B30 requires that the Applicant must ensure that the Workplace Travel Plan is implemented for the life of the development.</p> <p>Whilst signage, access and end of trip facilities have been constructed / implemented, there are a number of initiatives from within the Workplace travel Plan that rely on tenants and Transport for NSW carrying out certain actions. These include (but are not limited to) completion of feasibility studies and annual reviews on public transport and shuttle bus demand etc, communications on sustainable transport options, implementation and review of Transport Action Guides, walking and cycling buddy systems. The initiatives that relate to tenant activities are not addressed or only barely addressed in the approved tenant Warehouse OEMPs. Initiatives relying on Transport for NSW are subject to ongoing consultation.</p>	<p>IA2 update: In consultation with LOGOS, Knight Frank ran a shuttle bus service for tenants from 15 November 2021 to 31 August 2023. A shuttle bus demand survey of MPE tenants was conducted on the 18 October 2022 for a local railway station pickup at Liverpool. The shuttle bus service was ceased on 31 August 2023. The site became pedestrian safe for access and the pedestrian gate from behind the café into the MPE estate was opened up between 5am to 6pm.</p> <p>Additionally, the auditee indicated that some corrective actions will be executed late 2024 as follows:</p> <ul style="list-style-type: none"> - Consultation with TfNSW and LCC regarding public transport. A letter request for information regarding plan for public transport in the area, and the plan would be to do this on a 6 monthly or annual basis depending on what TfNSW and/or LCC can or cannot offer. 	SIMTA 30/06/22	CLOSED

Item	Condition Ref. No.	Type	Details of item	Proposed or completed action	By whom and by when	Status
				- Tenants will be encouraged to post on the notice board communications regarding car-pooling, cycling etc.		
14	B47	Non-compliance	<p>CoC B47 requires that 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> <p>The Auditor requested evidence be provided to demonstrate that systems had been constructed as designed. This evidence was not provided by the auditee, nor was evidence of this information having been provided to the Department.</p> <p>In response to this finding, the auditee noted that this requirement was assessed within the audit completed in accordance with CoC B51, however the Auditor observes that the CoC B51 audit scope does not include verification that the stormwater system was constructed as per the design. It does however state that the system appears to be functioning as intended. Refer Section 3.8.5 and CoC B51 within Appendix B.</p>	<p>The Applicant indicated that the Stormwater system certificates provided by the Design Engineer are listed in the relevant Occupational Certificates which were issued by the Certifying authority. Examples of this were sighted as follows:</p> <p>The Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), from Mckenzie Group dated 20 March 2020 includes in item #46 the Completion Certificate for Civil and Stormwater Warranty Works prepared by Simmons dated 17 March 2020. This Occupation Certificate for Warehouse 3 and offices was submitted to the Department.</p> <p>The Interim Occupation Certificate No. J/78230/04 (Warehouse 5) from Mckenzie Group dated 4 December 2020 includes in item #7 the Installation Certificate for Stormwater Works prepared by D. Bennett Plumbing dated 22 October 2020. The Occupation Certificate for Warehouse 5 was submitted to the Department on the 17 November 2020.</p>	SIMTA 30/09/21	CLOSED
15	B54	Non-compliance	<p>CoC B54 requires that best practice reactive and proactive management measures must be implemented to minimise dust generated during all works authorised by this consent.</p> <p>Note that this finding relates to the same issues as identified against SSD 6766 CoC G13.</p> <p>The January, February and March 2021 Monthly Air Quality Monitoring Reports identify exceedances of the PM₁₀ criteria that should be investigated. There was no evidence of any such investigations having been carried out.</p> <p>The Auditor also observes that the Six Monthly Operational Air Quality Compliance Report identified 7 x instances of exceedances of the PM_{2.5} 24 hr avg criteria and 20 x instances of exceedances of the PM₁₀ 24 hr avg criteria. Most of these were attributed by the Project to MPW works (material import activities, including operation of mobile plant and heavy vehicles and the import and handling of tunnel spoil). Correlation to MPE could not be confirmed.</p>	<p>IA2 update: The Applicant indicated that an internal air monitoring report is prepared by Arcadis monthly. The reports review and analyse data, compare it to thresholds, identify exceedances and make recommendations. This is then compiled into a Six-monthly Compliance Report. The Compliance Reports submitted to the Department will note any exceedances, investigation and actions taken.</p> <p>An example was sighted for the Compliance Report prepared in November 2023. After receiving the report, the Department comment was for the Applicant to ensure measures are put in place as exceedances recorded were low. Correspondence from Tactical to the tenants was sighted addressing the relevant exceedances.</p>	SIMTA 30/09/21	CLOSED

Item	Condition Ref. No.	Type	Details of item	Proposed or completed action	By whom and by when	Status
16	B87	Non-compliance	<p>CoC B87 requires that 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 CoC B86(a), or as otherwise agreed by the Secretary.</p> <p>Note that this finding relates to the same issues as identified against SSD 6766 CoC G15.</p> <p>According to the dates of monitoring specified within the Draft Annual Noise Review, the Report has not been submitted to the identified stakeholders within 60 days of completion of the monitoring.</p>	<p>IA2 update: The Annual Noise Review Report (ANRR) for the Year 1 Operations (2020–2021) dated 21 June 2021 was submitted to the Department 15 September 2021 and to the EPA on the 24 June 2021.</p> <p>It is noted that according to the dates of monitoring specified within the Annual Noise Review, the Reports for Year 2 Operations (2021-2022) and Year 3 Operations (2022-2023) were not submitted to the EPA within 60 days of completion of the monitoring as required by this condition.</p> <p>A new non-compliance was raised during this audit for this condition.</p>	<p>SIMTA</p> <p>Upon finalization of the Annual Noise Review Report.</p>	CLOSED
17	B130	Non-compliance	<p>CoC B130 requires that prior to an occupation certificate being issued, the Applicant must submit to the Secretary a Site Audit Statement, prepared in accordance with the NSW Contaminated Land Management – Guidelines for the NSW Site Auditor Scheme (3rd edition, 2017), which demonstrates that the site is suitable for its intended land use (i.e. Section 'A'). The Site Auditor must consider the most up to date PFAS guidance.</p> <p>A request was made for the auditee to provide evidence of the Site Audit Statement/s (SASs) being submitted to the Department. In response the auditee presented:</p> <ul style="list-style-type: none"> - the agreement from the Department to stage the submission of SASs for SSD 7628 along with the submission of the first SAS. However, the SAS was not presented, and the Auditor cannot ascertain the land to which it relates. - The Department post approval lodgement records for the SAS for Lot 22. Again, the SAS was not presented and therefore the Auditor cannot confirm the land to which this relates. - Copies of each SAS along with a statement that each Occupation Certificate refers to the SAS. <p>The Auditor is unable to confirm if SASs have been submitted to the Department for each / all warehouses that have had Occupation Certificates issued.</p>	<p>The Applicant presented the Site Audit Statement (SAS) for the IMEX Terminal dated 15 August 2019, Lot 22 dated 15 October 2019 and Lot 23 dated 21 July 2020, along with the Site Audit Reports (SAR) for the IMEX Terminal dated 15 August 2019, Lot 22 dated 15 October 2019 and Lot 22 dated 27 July 2020.</p> <p>It is noted that Lot 22 covers warehouses 3, 4 and 5; and Lot 23 covers warehouses 6 and 7.</p> <p>However, based on the evidence presented the Auditor was unable to confirm if SASs were submitted to the Department for all the warehouses that have been issued with an Occupation Certificates.</p> <p>IA2 update: No further evidence was provided to the Auditor on this matter. It was noted that construction of warehouses 3, 4 and 5 was completed during 2022 with operations commencing thereafter. The Applicant presented evidence of the SAS and Occupation Certificates for each of the warehouses. Therefore, actioning this matter is redundant and its considered closed during this audit period.</p>	<p>SIMTA</p> <p>30/09/21</p>	CLOSED
18	C9	Observation	<p>CoC C9 requires that 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; 	<p>IA2 update: The Department approved the Program for Operational Phase Delivery (POPD) on 21 May 2019 which outlined the staged submission of operational documents under condition</p>	<p>SIMTA</p> <p>30/09/21</p>	CLOSED

Item	Condition Ref. No.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			<p>c) the submission of an audit under condition C18;</p> <p>d) the approval of any modification of the conditions of this consent; or</p> <p>e) the issue of a direction of the Secretary under condition A2;</p> <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>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.</p> <p>There is no evidence of a review of the strategies, plans and programs having been formally initiated within 3 months of the last 2 x Annual Reviews or the approval of Modifications 3 and 4. However the Auditor considers that the strategies, plans and programs have been subject to regular review (and updates) pursuant to the approved Program for Operational Phase Documentation and capture measures to manage the environmental performance of the Project, and that the Department has been informed of these updates through the submission of the documents for approval.</p>	<p>A14 of SSD 7628. The Department also considered the combining of strategies, plans or programs to be acceptable, provided that all relevant conditions across both SSD 6766, and SSD 7628 are met.</p> <p>The Auditor notes that the strategies, plans, and programs for managing the environmental performance of the Project are reviewed and updated periodically (OEMP has been reviewed at least annually during 2021, 2022 and 2023). The Department has been kept informed of these updates through the submission of six-monthly operations compliance reports.</p>		

Table 6: Findings and recommendations from the Second Independent Audit (IA2)

ID No.	Ref. No.	Category	Details of the Condition / Requirement	Audit Finding	Recommended or completed action	Status
MPE Stage 1 - SSD6766						
IA2_01	G15	Non-Compliant	<p>Operational Noise Report</p> <p><i>Within 12 months of the commencement of operation of the project, or as otherwise agreed by the Secretary, the Applicant shall undertake operational noise monitoring to compare actual noise performance of the project against noise performance predicted in the review of noise mitigation measures predicted in documents specified under condition A1 of this approval, and prepare an Operational Noise Report to document this monitoring. The Report shall include, but not necessarily be limited to:</i></p> <ul style="list-style-type: none"> a) <i>noise monitoring to assess compliance with the operational noise levels predicted in documents specified under condition A1 of this approval;</i> b) <i>a review of the operational noise levels in terms of criteria and noise goals established in the NSW Road Noise Policy (EPA, 2011);</i> c) <i>sleep disturbance impacts compared to those determined in Condition E25;</i> d) <i>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;</i> e) <i>details of any complaints and enquiries received in relation to operational noise generated by the project between the date of commencement of operation and the date the report was prepared;</i> f) <i>any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and proportions;</i> g) <i>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; and</i> h) <i>identification of additional feasible and reasonable measures to those predicted in the documents specified under condition A1 of this approval, that would be implemented with the objective of meeting the criteria outlined in the NSW Road Noise Policy (EPA, 2011), when these measures would be implemented and how their effectiveness would be measured and reported to the Secretary and the EPA. The Applicant shall 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.</i> 	<p>Non-compliance: According to the dates on the Annual Noise Review Reports (ANRR) for Year 2 Operations (2021-2022, dated 23 May 2022) and Year 3 Operations (2022-2023, dated 6 June 2023), reports were not submitted to the Department and the EPA within 60 days of completion of the monitoring (as required by Condition G15(h)).</p> <p>Submission of the ANRR to Department for Year 2 Operations (2021-2022) was made on the 27 February 2023.</p> <p>Evidence of submission for the Year 3 Operations (2022-2023) was not presented during the audit.</p>	Submit the Annual Noise Review Reports to the Department and the EPA within the required timeframe as per SSD6766 Condition G15(h).	OPEN
MPE Stage 2 - SSD7628						
IA2_02	B28	Non-Compliant	<p>Operational Traffic and Access Management Plan</p> <p><i>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 RMS TfNSW) that advises:</i></p> <ul style="list-style-type: none"> a. <i>the number of actual and standard twenty-foot equivalent shipping containers despatched and received during the period;</i> 	<p>Non-compliance: No evidence was sighted to verify that the Biannual Trip Origin and Destination Reports (BTODRs) for November 2022 (covering the period from May to October 2022) and May 2023 (covering the period from November 2022 to April 2023) were submitted to the Department within one month of their preparation.</p>	<p>Recommended Action: Future submission of the Biannual Trip Origin and Destination Reports to the Department must be made within the required timeframe as per SSD 7628 Condition B28.</p> <p>Completed Action: Prior finalisation of this audit report, the Applicant provided evidence of submission of the BTODRs for the reporting period 1</p>	CLOSED

ID No.	Ref. No.	Category	Details of the Condition / Requirement	Audit Finding	Recommended or completed action	Status
			<p>b. 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;</p> <p>c. records of vehicle numbers accessing the site; and</p> <p>d. representative vehicle origins and destinations, based on a cordon in the surrounding network.</p> <p>A framework for recording and reporting on the data required for the report, prepared to the satisfaction of TfNSW and RMS 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 TfNSW.</p> <p>The cordon count at (d) above will:</p> <ul style="list-style-type: none"> • apply to all classes of vehicles; and <p>cover the intermodal terminal, the warehousing facility and any other uses such as the freight village.</p>		November 2023 to 30 April 2024 (May 2024 Report). An acknowledgment letter from the Department to Qube dated 27 June 2024 was sighted.	
IA2_03	B85	Non-Compliant	<p>Mechanical Plant and Other Equipment</p> <p>The Applicant must carry out noise monitoring of mechanical plant and other noisy equipment for a minimum period of one week where valid data is collected following 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.</p>	Non-Compliance: No evidence was presented to verify that the Operational Compliance Measurement Reports from Renzo Tonin for Warehouse 5, Warehouse 4A, Warehouse 4B, Warehouse 3B, Warehouse 3A and Warehouse 1 were submitted to the Department within 2 months of occupation or each warehouse.	Submit the Operational Compliance Measurement Reports prepared under condition B85 for each/all warehouses that have been occupied to the Department.	OPEN
IA2_04	B87	Non-Compliant	<p>Operational Noise Report</p> <p>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.</p>	Non-compliance: According to the dates of monitoring specified within the Annual Noise Review (ANRR), the reports for Year 2 – 2022 and Year 3 – 2023 Operations have not been submitted to the Department and the EPA within 60 days of completion of the monitoring as required by this condition.	Submit the Annual Noise Review Reports to the Department and the EPA within the required timeframe as per SSD7628 Condition B87.	OPEN
IA2_05	B114A	Non-Compliant	<p>Dangerous Goods</p> <p>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.</p> <p>(a) FIRE SAFETY STUDY</p> <p>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.</p> <p>(b) FINAL HAZARD ANALYSIS</p> <p>A Final Hazard Analysis for Warehouse 7 with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'.</p>	<p>Non-compliance: A Final Hazard Analysis for Warehouse 7 with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis' has not been prepared as per condition B114A (b).</p> <p>Additionally, no evidence was presented to verify that the Applicant submitted the Fire Safety Studies to the Department no later than one month prior to the commencement of the storage of Dangerous Goods in Warehouse 7.</p>	<p>Final Hazard Analysis for Warehouse 7 covering all the requirements listed in condition B114A needs to be prepared as per condition B114A (b).</p> <p>Demonstrate that the Fire Safety Studies for Warehouse 7 have been submitted to the Department two months prior to the commencement of the storage of Dangerous Goods.</p> <p>Note: Prior the finalisation of the audit report, the Applicant presented a copy of the Fire Safety Study (FSS) dated 12 December 2023 from Riskcon Engineering and a letter received from Fire Rescue NSW (FRNSW), dated 21 December 2023 which indicates that the FSS has been</p>	OPEN

ID No.	Ref. No.	Category	Details of the Condition / Requirement	Audit Finding	Recommended or completed action	Status
					prepared to the satisfaction of FRNSW.	
IA2_06	B114B	Non-Compliant	<p>Dangerous Goods</p> <p><i>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.</i></p> <p>(a) EMERGENCY PLAN</p> <p><i>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'.</i></p> <p>(b) SAFETY MANAGEMENT PLAN</p> <p><i>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 Management System must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.</i></p>	<p>Non-compliance: A document setting out a comprehensive Safety Management System, covering all on-site operations, associated transport activities involving hazardous materials for Warehouse 7, safety related procedures, responsibilities and policies and mechanisms ensuring adherence to the procedures has not been developed for Warehouse 7.</p> <p>Additionally, no evidence was presented to verify that the Applicant submitted the Emergency Plan 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.</p>	<p>Develop a Safety Management Plan for Warehouse 7 covering all the requirements listed in condition B114B.</p> <p>Demonstrate that the Emergency Plan for Warehouse 7 have been submitted to the Department two months prior to the commencement of the storage of Dangerous Goods.</p>	OPEN
IA2_07	B83	Observation	<p>Operational Noise Management Plan</p> <p><i>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:</i></p> <ul style="list-style-type: none"> <i>a) an outline of management actions to be taken to address any potential non-compliances with the limits specified in Table 5;</i> <i>b) a description of contingency measures to be implemented in the event management actions do not reduce noise levels to a compliant level; and</i> <i>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.</i> 	<p>Observation: The Operational Noise and Vibration Management Plan (ONVMP) was last updated on the 24 January 2023 (revision 13). However, the document has a different date in the history revision table (19 December 2022).</p>	<p>Recommended Action: Update the ONVMP to consistently reflect the latest revision of the document.</p> <p>Completed Action: Prior finalisation of this audit report, the Applicant provided evidence of the updated ONVMP from Arcadis, Revision 13.</p>	CLOSED
IA2_08	C21	Observation	<p>Compliance Monitoring and Tracking</p> <p><i>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.</i></p> <p><i>The Compliance Tracking Program must include, but not be limited to:</i></p> <ul style="list-style-type: none"> <i>(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);</i> <i>(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;</i> <i>(c) provision for periodic reporting of compliance status to the Secretary, including but not limited to:</i> 	<p>Observation: It was noted that the process to identify and follow-up non-compliances from the implementation of the Operation Environmental Management Plan (OEMP), sub-plans and Warehouses Operations Environmental Management Plans (WOEMP) is not linked to the Compliance Tracker developed for the Moorebank Precinct East. It is suggested to revise this process as it would be beneficial to include how non-compliances from the implementation of the relevant plans are tracked.</p>	<p>Applicant to revise the non-compliances process to include how non-compliances from the implementation of the Operation Environmental Management Plan (OEMP), sub-plans and Warehouses Operations Environmental Management Plans (WOEMP) are tracked.</p>	OPEN

ID No.	Ref. No.	Category	Details of the Condition / Requirement	Audit Finding	Recommended or completed action	Status
			<p>(i) a Pre-Construction Compliance Report prior to the commencement of construction</p> <p>(ii) quarterly six-monthly Construction Compliance Reports, for the duration of construction, and</p> <p>(iii) a Pre-Operation Compliance Report prior to the commencement of operation, and six-monthly operational compliance reports;</p> <p>(d) a program for independent environmental auditing;</p> <p>(e) mechanisms for recording environmental incidents during construction and actions taken in response to those incidents;</p> <p>(f) provision for reporting environmental incidents to the Secretary during construction; and</p> <p>(g) procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management; and</p> <p>(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>			

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

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

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

The Auditor is of the view that the OEMP and other Plans for the MPE Operations are generally adequate for the activities being undertaken and not material deficiencies were identified. The OEMP and associated plans listed in Section 3.1 are considered to be compliant with the requirements of the Conditions and were generally implemented for the works being undertaken at the time of the Audit except for the findings discussed below and summarised in section 3.3.

The Auditor also reviewed the following Warehouse Operation Environmental Management Plans (WOEMP):

- Warehouse 1 Catch Australia Pty Ltd Warehouse Occupation Environmental Management Plan – Moorebank Precinct East Catch, 14 March 2022
- Warehouse 3A Caesarstone, Environmental Management Plan - Caesarstone, 26 May 2020, Rev.8
- Warehouse 3B Operational Environmental Management Plan – Federal Hospitality Equipment *Environmental Management Plan, 08 March 2021*
- Warehouse 4A Operational Environmental Management Plan, PCA Express, 5 May 2021
- Warehouse 4B Environmental Management Plan, ATS Building Products, 15 October 2020, version 1.3
- Warehouse 5 Occupation Environmental Management Plan (WOEMP) Moorebank Logistics Park, 15 December 2020, Rev. 3
- Warehouse 6 Occupation Environmental Management Plan (WOEMP) Moorebank Logistics Park, 3 August 2023, Rev. 2
- Warehouse 7 Occupation Environmental Management Plan (WOEMP) Moorebank Precinct East, Mainfreight Distribution Pty Ltd, 1 March 2024, Rev. 2

The plans have been approved by the Department and are generally adequate. The Auditor notes that majority of the Warehouse Operation Environmental Management Plans cover the tenant's operations with focus on the environmental management control measures, risk and impacts to the surrounding environment.

3.5 Summary of notices from agencies

To the Auditor's knowledge no formal notices were issued by the Department or the EPA during the audit period, other than the letters of approval (conditional or in full) for the operational management plans, strategies, programs and reports. Based on the evidence sighted, LOGOS appears to have addressed the requirements within these letters of approval, noting however the non-compliances and observations identified in Section 3.3 above.

3.6 Other matters considered relevant by the Auditor or DPHI

3.6.1 Compliance with design and the Building Codes of Australia

We note that with respect to CoCs relating to design, compliance with the Building Codes of Australia (BCA) or satisfaction of the Certifying Authority, the Independent Audit relied on confirmation from the relevant subcontractor and / or the Certifying Authority that this is the case, using the following lines of evidence:

- the existence of a statement of compliance with the relevant requirement from the responsible subcontractor, or
- the existence of a statement of compliance or an Occupation Certificate from the Certifying Authority.

The Independent Audit did not extend to an assessment of the works against the design or BCA requirements themselves, nor did it examine the rigour the Certifying Authority had applied to verify that the works met the relevant design or BCA requirements.

3.6.2 Other matters

The Auditor provides the following comment in response to the air quality monitoring results from emissions on the request made by the Community Consultation Committee (CCC) Representative during the consultation process.

The CCC requested consideration to ensuring that they are provided with contemporaneous data revealing any increases in emissions of particulate matter (PM₁₀, PM_{2.5}), sulphur and nitrogen oxides (NO₂) and hydrocarbons, if any, as truck movements increase.

Firstly, it is noted that the approved Operational Air Quality Management Plan, dated 23 January 2023, specifies ambient air monitoring requirements for PM₁₀, PM_{2.5}, NO₂, CO and Dust deposition. Therefore, there is no requirement to monitor sulphur or hydrocarbons.

The Applicant provided copies of the monthly air quality monitoring reports from Arcadis for 2021, 2022, 2023 and up to March for 2024. The MPE operational air quality six-monthly compliance reports from June 2021 until October 2023 were also reviewed, indicating that any exceedances identified during the period have been investigated. The six-monthly compliance reports are provided to the Department. The last comment received from the Department indicated that the Applicant should ensure measures are put in place as exceedances were low.

Based on the evidence presented on the air quality monthly and six-monthly compliance reports, the Auditor recommends providing the CCC with copies of the air quality monthly reports and six-monthly compliance reports on a quarterly basis.

3.7 Complaints

A complaints register is being maintained for the entire Moorebank Logistics Park development. Complaints in the register presented do not clearly indicate which complaints are assigned to the project construction works and which ones are related to operations (i.e.: a complaint would be raised about the broader development, rather than any activity associated with the Project and the Applicant would investigate accordingly).

The complaints register was current to the 31 May 2024 at the time of completing this audit. A total of 59 complaints were received for the entire MLP development from May 2021 to May 2024. The complaints related predominantly to noise, dust, road condition, traffic light signalling and congestion on Moorebank Avenue, property damage and lighting. The complaints register can be found in the following link:

<https://moorebankintermodalprecinct.com.au/wp-content/uploads/2024/04/Moorebank-Intermodal-Precinct-Online-Complaints-document-toApr24.pdf>

The complaints register provides details of actions undertaken to address and close the complaint. Most complaints are considered closed by the Applicant with one complaint remaining open and under investigation. The publicly available complaints register is available on the Project website. It was noted that complaints are discussed at the Compliance Reports. The Auditor sighted this in section 2.4.3 of the Compliance Report No.7, dated 3 April 2024.

The Auditor considers the management of complaints adequate.

3.8 Incidents

The Project did not identify any reportable incidents under the SSD 6766 and SSD 7268 during the audit period.

3.9 Actual versus predicted outcomes

3.9.1 General

Predicted outcomes associated with the operations of the IMEX Terminal and Rail Link are described in sections 7 – 19 of the *SIMTA Intermodal Terminal Facility – Stage 1 – Environmental Impact Statement, Hyder, May 2015* (SSD 6766 EIS) and section 7 of the *SIMTA Intermodal Terminal Facility – Stage 1 – Response to Submissions, Hyder, September 2015* (SSD 6766 RtS).

Predicted outcomes associated with the operations 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, 2 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).

Together, and for the purposes of this section, the aforementioned documents are referred to here as the EIS' documents.

The EIS' documents 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 MPE (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 operational 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 Audit. Any such comparison is qualitative only.

The operation of the MPE is phased, with operations of the IMEX Terminal, Rail Link and Warehouse 1 commencing operations in 2020. Warehouses operations on 3A, 3B, 4A, 4B, 5 and 6 started between 2022 to 2023. Area 7 started operations this year in Feb 2024. Additionally, the

Project has prepared a Program For Operational Phase Documentation (POPD) which set out the approach for aggregating and phasing of operational documents across SSD 6766 and SSD 7628, for the MPE as a whole. Whilst both the EIS' documents recognise the general staging of operations, this process of aggregation and phasing was not considered in detail.

As stated in Section 3.6.1, with regards to determining whether design is compliant, design elements are able to be operated as intended or whether compliance with the BCA have been achieved, the Auditor has relied upon confirmation from the relevant subcontractor and / or the Certifying Authority that this is the case. The relevant subcontractor and / or the Certifying Authority have stated that the MPE was constructed in accordance with BCA and development consent requirements. Therefore, in theory, each of the assets, facilities, systems and equipment facilities and equipment is capable of functioning as intended.

The following observations are considered relevant for the operations of MPE.

3.9.2 Traffic and transport

The EIS made a number of predictions around traffic and transport as a result of the project being built. These include a decrease in freight movement along the M5 (SSD 6766 EIS Section 7.3.2) but increases in traffic around Moorebank Avenue. The Applicant has been reporting traffic impacts to the Department through the Biannual Trip Origin and Destination Reports (BTODR). The reports for the audit period (2021, 2022 and 2023), provide a comparative assessment of the operational traffic accessing the MPE site and its surrounding road network and the future growth in operational activities. In general terms local congestion on Moorebank Avenue cannot be attributable solely to the MPE operations. Heavy traffic is also because of the construction of MPW and other commercial activities. Additionally, light vehicle movements are increasing due to intensified land use throughout the area. Results from the BTODR between November 2021 to October 2022 indicate that majority of MPE workers travelled to and from site using the M5 Motorway. Additionally, the Applicant indicated that during September 2023, changes to the road upgrades needed to support Moorebank Logistics Park were discussed with TfNSW Representatives as part of Modification 5. In general, it appears that actual traffic increases around Moorebank Avenue are in line with those predicted in the EIS' documents.

3.9.3 Air quality

The EIS' documents made a number of predictions on local and regional air quality including potential increased emissions to air from additional traffic in the area. Based on the data presented in the Monthly Air Quality Monitoring Reports and the Six-Monthly Operational Air Quality Compliance Report, emissions are generally in line with those predicted, noting however some exceedances identified for PM10 and PM2.5. The Department general comment on that report was to ensure measures are put in place as exceedances were low. It was noted that terminals are operating electric cranes for rail operations. The auditee indicated that there has been no exceedances of significance that triggered an investigation. Tenants are aware of their obligations under their lease and implementation of the OEMP and Sub Plans. No complaints were received regarding this requirement.

3.9.4 Noise

The EIS' documents made a number of predictions on noise impacts from MPE operations, including increase noise at times associated with train movements and road transport. The Annual Noise Review Reports for 2021, 2022 and 2023 provide a summary of all monitoring undertaken for the relevant years including INP noise monitoring, Container Noise Barrier measurements, warehouse noise monitoring, Rail Link noise monitoring at residential receivers, continuous noise monitoring in residential areas, continuous rail link noise monitoring, Rail operations noise monitoring have been carried out and the Rail Link angle of attack (AoA) monitoring has been conducted. A permanent noise monitoring system is positioned at a location on the rail link where it can capture noise levels associated with curve brake squeal. Continuous noise monitoring at sensitive areas occurred during 2022. Noise monitoring was undertaken in response to complaints received from residents in Wattle Grove between June and September 2022. In response to these complaints the effectiveness of the noise management program was reviewed. The Auditor considers operational noise impacts to be generally consistent with the EIS' documents.

3.9.5 Hydrology and flooding

The EIS' included predictions on outcomes associated with hydrology and flooding. The Urban Design and Landscape Plan initially approved by the Department on the 5 February 2021, the Interim and Ultimate Stormwater Management Plan and the Stormwater Infrastructure Operation and Maintenance Plan appear to be implemented. These Plans set-up the process to manage hydrology across the site and maintain water quality impacts at an acceptable level. The Urban Design and Landscape Plan was updated on the 13 October 2022 to reflect design changes to Area 3 and prior to the construction of permanent built surface works for future stage.

Three On-Site Detention (OSD) basins have been maintained within the MPE (OSD1, OSD2 and OSD9). Monthly inspections, six-monthly and annual servicing records were sighted for OSD 9. Monthly maintenance reports and the stormwater maintenance records have been produced and saved by the Applicant from 2020 to 2024. Stormwater audits have been conducted and annual Independent Audits were completed during 2021, 2022 and 2023. In general terms, the audits found that the systems are being cleaned and maintained so they remain functional.

3.10 Key strengths and environmental performance

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

- The Operational Environmental Management Plan and Subplans have been reviewed, updated and implemented during the operations at the Moorebank Precinct East.
- All the warehouses that have been built, have developed, reviewed and maintained their respective Warehouse Operational Environmental Management Plan (WOEMP). All WOEMPs have been approved by the Department.
- Relevant environmental and monitoring records i.e., annual noise review, operational noise monitoring, container noise barrier measurements, warehouse noise monitoring, Rail Link noise monitoring, trip origin and destination reports, monthly air quality reports, six-monthly operational air compliance reports, stormwater maintenance reports, monthly rail inspection and management plans were presented to provide verification of compliance to consent requirements.
- Complaints received from the community are investigated and closed out.

- No incidents were reported during the audit period.
- Maintenance of plant and equipment e.g. cranes, straddle carriers, container lifts and forklifts within the warehouses have been undertaken in accordance with the specifications.
- Onsite detention basins have been maintained and serviced periodically.
- Traffic monitoring and control measures were in place to minimise potential traffic impacts on Moorebank Avenue.
- Erosion and sediment controls were sighted, and riparian zone was well marked and maintained.

4. 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 Project (including mitigation measures). Full assessment of the accuracy of these predictions would also require a significant number of studies involving measurement and modelling using actual data points as inputs. Other than the requirements specified in the, to the Auditor's knowledge there are no requirements to undertake such studies and doing so does not form part of this Independent Audit.

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

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APPENDIX A – SSD 6766 CONDITIONS OF CONSENT

Note: This Audit will only assess compliance with conditions relevant to operation. All other conditions have been assessed through separate audit programs and audits.

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
PART A ADMINISTRATIVE CONDITIONS				
Development in accordance with plans and documents				
A1	The Applicant shall carry out the development generally in accordance with the: <ul style="list-style-type: none"> a) State Significant Development Application SSD 6766; b) <i>SIMTA Intermodal Terminal Facility – Stage 1 – Environmental Impact Statement</i> (Hyder Consulting Pty Ltd, May 2014); c) <i>SIMTA Intermodal Terminal Facility – Stage 1 – Response to Submissions</i> (Hyder Consulting Pty Ltd, September 2015); and d) The conditions of this consent. 	Interview with auditees 8-9/05/24 SIMTA Intermodal Terminal Facility – Stage 1 – Environmental Impact Statement, Hyder, May 2015 SIMTA Intermodal Terminal Facility – Stage 1 – Response to Submissions, Hyder, September 2015 Evidence referred to elsewhere in this Audit Table	Project records indicate that the project is being operated in general accordance with the EIS and RtS. The proponent has demonstrated that reasonable and feasible measures are being implemented to prevent or minimise material harm to the environment. 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 non-compliance with this condition.	Compliant
A2	In the event of an inconsistency between: <ul style="list-style-type: none"> a) the conditions of this approval and any document listed from condition A1(a) to A1(c) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and b) any document listed from condition A1(a) to A1(c) inclusive, and any other document listed from condition A1(a) to A1(c) inclusive, the most recent document shall prevail to the extent of the inconsistency. 	Interview with auditees 8-9/05/24	Noted. This audit assess compliance with the current conditions of consent and the most current version of the documents listed in Conditions A1. No inconsistencies identified during the audit period.	Compliant
A3	The Applicant shall comply with any reasonable requirement(s) of the Secretary arising from the Department's assessment of: <ul style="list-style-type: none"> a) any reports, plans or correspondence that are submitted in accordance with this consent; and b) the implementation of any actions or measures contained within these documents 	Interview with auditees 8-9/05/24 Letter DPHI to LOGOS (address to Tactical), 7/5/24 (Six monthly Compliance Report No.7 June-Oct 2023, 3/4/24 Letter from DPHI to Tactical, 7/9/2023 re. Revised OMPs approval.	Compliance Reports have been provided to the DPHI as required. Sighted evidence for the Compliance Report for June to October 2023, dated 3/4/2024 Report No.7 was submitted to the DPHI on the 5/3/2024 and received comments from the DPHI on the 7/5/2024 indicating that are generally satisfied with the report, and exceedances recorded for the dust depositions are to be manage through the POAQMP. Additionally, evidence of the OEMP Rev.18 and sub-plans submission to the DPHI was sighted including the approval of the Plan which was received on the 7/9/52023. DPHI letters of approval of Operational Management Plans indicate they are generally satisfied with the plans. The evidence indicates that in instances were comments were provided by DPHI the requirements of the Department have been addressed.	Compliant
A4	This approval will lapse ten years from the date of this approval unless works the subject of this approval are physically commenced, on or before that lapse date.	This consent granted 12/12/16 Site inspection 8/05/24 Interview with auditees 8-9/05/24	Consent was granted in 2016. It is understood that the Project commenced operations on 17/05/2020. The auditor notes that there is significant complexity around the commencement of operations due to the staging and combining of strategies plans and programs both within and between SSD 6766 and SSD 7628, along with a period of commissioning of the RALP and IMEX infrastructure.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
A5	In the event of a dispute between the Applicant and a public authority, in relation to this approval, either party may refer the matter to the Secretary for resolution. The Secretary's resolution of the matter shall be binding on the parties.	Interview with auditees 8-9/05/24	The auditees have not identified any formal disputes.	Not Triggered
Legal notices				
A6	Any advice or notice to the consent authority shall be served on the Secretary.	Interview with auditees 8-9/05/24	The auditee is not aware of any legal notices applicable to the Operations.	Not Triggered
Statutory requirements				
A7	The applicant shall ensure that all licences, permits, consents and approvals are obtained and maintained as required throughout the life of the development. No condition of this consent removes the obligation of the Applicant to obtain, renew or comply with such licences, permits or approvals. The Applicant shall ensure that a copy of this consent and all relevant environmental licences, permits, consents and approvals are available on the Project Website and Subject Site at all times during the development	Evidence referred to elsewhere in this Audit Table, and the Audit Table of SSD 7628	The evidence indicates that relevant approvals have been obtained.	Compliant
PART B PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE				
Disabled access				
B1	Access for people with disabilities shall be provided for offices and amenities for the development in accordance with the <i>Disability Discrimination Act 1992</i> (Commonwealth). Prior to the issue of a Construction Certificate, verification of compliance with this condition from an appropriately qualified person shall be provided to the Certifying Authority	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Compliance with Building Code of Australia (BCA)				
B2	Details shall be provided to the satisfaction of the Certifying Authority, with the application for a Construction Certificate, which demonstrate that the proposal complies with the prescribed conditions of approval under Clause 98 of the Environmental Planning and Assessment Regulation in relation to the requirements of the Building Code of Australia (BCA).	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Development contributions				
B3	Prior to the issue of a Construction Certificate, the Applicant shall pay a monetary levy of \$643,027.27 to Liverpool City Council for transport, drainage, community facilities, administration and professional and legal fees pursuant to section 94B(2) of the <i>Environmental Planning and Assessment Act 1979</i> .	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Site layout and access				
B4	The design of the main access gate shall preclude heavy road freight vehicles from using Moorebank Avenue south (no left turn from the terminal site onto Moorebank Avenue, and no right turn from Moorebank Avenue into the terminal site). Detailed plans are to be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B5	<p>The Applicant shall ensure that:</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 versions of AS 2890.1 – 2004, AS 2890.6-2009 and AS 2890.2 – 2002 for heavy vehicle usage; b) the swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, is in accordance with AUSTROADS; c) The layout of the site shall be designed to ensure heavy vehicles associated with the operation of the intermodal terminal can be accommodated on site in the event of an incident blocking access to the M5 Motorway/ Moorebank Avenue to avoid queuing on public roads. d) The layout of the site shall be designed to minimise heavy vehicles reversing are not required to select reverse gear. e) heavy vehicles and bins associated with the SSD do not park or stand 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; and h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times. <p>Detailed plans demonstrating compliance with a)-h) shall be prepared in consultation with RMS and to the satisfaction of the Certifying Authority.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B6	The Applicant shall include provision for emergency access to the site. Plans demonstrating compliance shall be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Lighting plan				
B7	<p>A detailed plan prepared by a suitably qualified lighting engineer must be submitted to the Certifying Authority for approval prior the issue of a Construction Certificate, and include, but not be limited to:</p> <ul style="list-style-type: none"> a) Adequate lighting of pedestrian thoroughfares; b) All lighting in public domain areas is to comply with the relevant Council requirements and Australian Standard AS1158 for Street Lighting Applications; c) The lighting plan should include lighting designs, supported by luminance calculations and luminance plots, and is to be of a high standard and Energy Australia compatible; and d) All outdoor lighting (excluding street lighting) shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Public transport				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B8	The SSD shall be designed to ensure a bus stop on Moorebank Avenue (including direct pedestrian access from the terminal site to the bus stop), and associated turnaround facility suitable for a 14.5 metre long non-rear steer bus is not precluded.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
PART C PRIOR TO CONSTRUCTION				
Commencement of works				
C1	Demolition, excavation, clearing (other than minor clearing), construction, subdivision or associated activities must not commence until a Construction Certificate has been issued for the project pursuant to the <i>Environmental Planning and Assessment Act 1979</i> .	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Demolition				
C2	The Applicant shall ensure that all demolition work is carried out in accordance with <i>Australian Standard AS 2601:2001: The Demolition of Structures</i> , or its latest version.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Urban design and landscaping				
C3	<p>The Applicant shall prepare and implement an Urban Design and Landscape Plan for the project. The Plan shall present an integrated urban design for the project. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) final design details of the proposed external materials and finishes; b) location of existing vegetation and proposed landscaping (including use of indigenous and endemic species where possible) and design features; c) strategies for progressive landscaping of other environmental controls such as erosion and sedimentation controls, drainage and noise mitigation; and d) location and design treatments for any associated footpaths and cyclist elements, and other features such as seating, lighting (in accordance with AS 4282-1997 Control of the Obtrusive Effect of Outdoor Lighting), fencing, and signs; <p>The Plan shall be submitted for the approval of the Secretary prior to the commencement of permanent built works and/ or landscaping, unless otherwise agreed by the Secretary.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Compliance monitoring and tracking				
C4	<p>The Applicant shall prepare and implement a Compliance Tracking Program, to track compliance with the requirements of this approval. The Program shall be submitted to the Secretary for approval prior to the commencement of construction and operate for the duration of construction.</p> <p>The Program shall include, but not be limited to:</p> <ul style="list-style-type: none"> a) provision for the notification to the Secretary prior to the commencement of construction; b) provision for periodic review of the compliance status of the SSD against the requirements of this approval; 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>c) provision for periodic reporting of compliance status to the Secretary, including but not limited to:</p> <ul style="list-style-type: none"> i. a Pre-Construction Compliance Report prior to the commencement of construction, ii. Six-monthly, or other timing as agreed by the Secretary, Construction Compliance Reports, for the duration of construction, and iii. a Completion Compliance Report within one month of completion of the construction; <p>d) a program for independent environmental auditing in accordance with AS/NZS ISO 19011:2014 – Guidelines for Auditing Management Systems;</p> <p>e) mechanisms for recording environmental incidents during construction and actions taken in response to those incidents;</p> <p>f) provision for reporting environmental incidents to the Secretary during construction, in accordance with conditions C6 and C7;</p> <p>g) procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management; and</p> <p>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>			
Contamination				
C5	<p>Prior to the commencement of construction of the rail link within the Glenfield Waste Facility licenced premises, the Applicant shall prepare an assessment report of the proposed impacts of construction on the Glenfield Waste Facility licenced premises.</p> <p>The assessment must address:</p> <ul style="list-style-type: none"> a) Targeted intrusive investigations to determine contamination pathways and to develop mitigation, management and/or remediation options based on those investigations; b) details of the quantity of landfilled waste to be removed, the location from where it will be removed, the methodology to be utilised and the estimated timeframe for the removal and reburial; c) proposed measures to mitigate odour impacts on sensitive receivers, including an undertaking to apply daily cover to any exposed waste in accordance with benchmark technique 33 of the document <i>Environmental Guidelines: Solid Waste Landfills</i>, NSW EPA 1996; d) details of impacts on pollution control and monitoring systems including existing groundwater and landfill gas bores and their subsequent repair/ replacement; e) the methodology proposed to ensure that the landfill barrier system disturbed in the removal process is replaced/ repaired to ensure its ongoing performance. The Applicant shall detail matters such as sub grade preparation and specifications, liner installation/ reinstallation procedures and construction quality assurance (CQA) procedures; f) a commitment to providing the EPA with a construction quality assurance report within 60 days of the completion of the works referred to in (d) above; and g) an overview of any access and/or materials/ equipment storage arrangements with Glenfield Waste Facility in relation to the construction of the project, and operation and maintenance of the rail link. 	-	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>h) details of any other expected or potential impacts to the licensed area and options for management and mitigation of those impacts (i.e. leachate management and surface water runoff, potential impacts on the Georges River during works, dust etc.); and</p> <p>i) details of and proposed mitigation measures for the long term management of the rail link (e.g. subsidence or gas issues).</p> <p>The Applicant must provide the assessment report to the EPA for review and approval at least 6 weeks prior to the commencement of construction. A copy must also be submitted to the Secretary for information. No works are permitted to commence within the Glenfield Waste Facility licenced premises without the EPA's written approval, unless otherwise agreed by the Secretary.</p>			
C6	The Applicant shall prepare construction design plans for the section of the rail link within the Glenfield Waste Facility licenced premises in consultation with the EPA, and submit for the approval of the Certifying Authority prior to the commencement of construction, unless otherwise agreed by the Secretary. A copy must be provided to the Secretary for information.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
C7	The approved works (including any excavation required for remediation) must not occur below 5 metres AHD and lower the water table below 1m AHD on adjacent class 1, 2, 3, 4 lands in accordance with the Liverpool Local Environmental Plan 2008.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
C8	<p>The subject site is to be remediated in accordance with:</p> <p>a) The approved Remedial Action Plan;</p> <p>b) <i>State Environmental Planning Policy No. 55 – Remediation of Land</i>; and</p> <p>c) The guidelines in force under the <i>Contaminated Land Management Act</i>.</p> <p>Amendments to the approved Remedial Action Plan required as a result of further site investigations must be approved by the site auditor, in consultation with the EPA.</p> <p>Within 3 months after the completion of the remediation works, a notice of completion, including a validation and/or monitoring report is to be provided to the Secretary. This notice must be consistent with <i>State Environmental Planning Policy No. 55 – Remediation of Land</i>.</p> <p>The validation and/or monitoring report is to be independently audited and a Site Audit Statement Issued. The audit is to be carried out by an independent auditor accredited by the EPA. Any conditions recorded on the Site Audit Statement are to be complied with.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Soil, water quality and hydrology				
C9	The design of any new stormwater outlets to the Georges River or Anzac Creek must include scour protection works.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Fish migration, passage and health				
C10	Prior to the commencement of construction the Applicant shall consider the staging of in-water works for the bridge construction across the Georges River to avoid the impact on the migration season of Australian Bass.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			7628 are subject to separate audit programs and do not form part of this audit.	
C11	Prior to the commencement of the bridge construction works across the Georges River, the Applicant must consider if possible, restricting the use of the temporary platform to only one, and be designed to maintain fish passage. The Applicant must consult with DPI Fisheries with regard to the platform and its design prior to constructing the platform in the Georges River.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
C12	The Applicant is to ensure that a daily visual inspection for dead or distressed fish in the Georges River is undertaken. Fish distress is indicated by fish gasping at the water surface, or crowding at the creek's banks. Should dead or distressed fish be observed, all works are to cease and DPI Fisheries is to be contacted immediately. Works can proceed following approval by DPI Fisheries.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Heritage				
C13	Prior to the commencement of construction activities affecting the WWII store buildings, the Applicant shall complete all archival recordings. This work shall be undertaken by an experienced heritage consultant, in accordance with the guidelines issued by the Heritage Council of NSW. Within 6 months of completing this work, the Applicant shall submit a report containing archival recordings to the Secretary, Certifying Authority, the Heritage Council of NSW, Liverpool Council and the local Historical Society.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
C14	Prior to the commencement of construction activities affecting the WWII store buildings, the Applicant shall prepare a Heritage Interpretation Strategy, in consultation with the Heritage Division. The Strategy shall be submitted for the approval of the Secretary with a copy provided to the Certifying Authority.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
C15	<p>Prior to the commencement of pre-construction and construction activities affecting Aboriginal site MA14, the Applicant shall:</p> <ul style="list-style-type: none"> a) develop a detailed salvage strategy, prepared in consultation with OEH (Aboriginal heritage) and the Aboriginal stakeholders. The investigation program shall be prepared to the satisfaction of the Secretary; and b) undertake any further archaeological excavation works recommended by the results of the Aboriginal archaeological investigation program. c) Within twelve months of completing the above work, unless otherwise agreed by the Secretary, the Applicant shall submit a report containing the findings of the excavations, including artefact analysis and Aboriginal Site Impacts Recording Forms (ASIR), and the identification of final storage location for all Aboriginal objects recovered (testing and salvage), prepared in consultation with the Aboriginal stakeholders, the OEH (Aboriginal heritage) and to the satisfaction of the Secretary. d) Note: where archaeological testing has occurred as part of the Environmental Assessment and the results are included in the documents listed in condition A1 the sites tested must still form part of the final report prepared under C16(b). 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Utilities and services				
C16	Utilities, services and other infrastructure potentially affected by construction and operation shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. Consultation with the relevant owner and/or provider of services that are likely to be affected by the construction shall be undertaken to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	required. The cost of any such arrangements shall be borne by the Applicant, or as otherwise agreed between the parties.			
Pre-construction dilapidation report				
C17	<p>The Applicant shall engage a suitably qualified person to prepare a pre-construction dilapidation report prior to the commencement of construction. This report to ascertain the structural condition of:</p> <ul style="list-style-type: none"> a) local public roads likely to be used by the project's construction traffic identified in the Construction Traffic and Access Management Sub-plan required under condition E35(a). b) local public roads, cycle ways, footpaths and other utilities identified in the Construction Traffic and Access Management Sub-Plan required under condition E35(a). <p>The report shall be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS and the Secretary.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
C18	The Applicant shall undertake road pavement deflection testing of the construction truck routes at 20 metre intervals along all wheel paths where feasible and reasonable to the extent required by Condition E35 (a), prior to commencement of construction.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
C19	<p>The Applicant shall ensure that the construction and operation of the proposed development will not prevent the existing use of Moorebank Avenue as a public road to a standard commensurate to its current use prior to the development.</p> <p>Note: temporary closures or part closures and changes to the operation of Moorebank Avenue may occur for limited periods during construction as detailed in the Construction Traffic Management Plan</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Biodiversity				
C20	The Applicant shall ensure the width of the rail link corridor is no greater than 20 metres in the Riparian corridor of the Georges River and Anzac Creek.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
C21	The Georges River Bridge shall be designed to ensure fauna movement within the riparian corridor is maintained. The bridge shall be designed in consultation with DPI Water and approved by the Certifying Authority. A copy of the final design shall be submitted to the Secretary for information and made available on the Project Website.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
C22	<p>The Applicant shall prepare and implement a 'Threatened Dragonfly Species Survey Plan' to determine the presence or absence of threatened dragonfly species listed under the Fisheries Management Act 1994 on the Georges River, adjacent to the development site. The plan, including survey methodology, shall be prepared in consultation with DPI Fisheries prior to the commencement of construction.</p> <p>On implementing the plan, the survey results are to be forwarded onto DPI Fisheries. Should threatened dragonfly species be found at this site, DPI Fisheries should be contacted to agree on possible mitigation measures to avoid impacts in accordance with NSW DPI Policy and Guidelines for Fish Habitat Conservation and Management (2013).</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C23	Prior to the commencement of clearing within the railway corridor between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant must prepare and implement a Hibbertia Species Survey Plan to determine the number of individual plants of each Hibbertia species present within the corridor and confirm that the required quantum of biodiversity offset credits needed to provide an offset for the surveyed number of individual plants of each Hibbertia species can be achieved. The survey plan, including the survey method, must be prepared in consultation with OEH to the satisfaction of the Secretary. Results of the survey must be included in the Biodiversity Offset Package required by C23A.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
C23A	<p>Prior to the commencement of clearing within the railway corridor between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant shall develop and implement a Biodiversity Offset Package to the satisfaction of the Secretary. The Package shall detail how the ecological values lost as a result of the SSD will be offset. The package shall be consistent with the NSW Biodiversity Offsets Policy for Major Projects (OEH 2014), unless otherwise agreed by the Secretary. The package shall include, but not be necessarily limited to:</p> <ul style="list-style-type: none"> a) the identification of the extent and types of habitat that would be lost or degraded as a result of the final design of the SSD; b) the objectives and biodiversity outcomes to be achieved; c) the final suite of the biodiversity offset measures selected and secured in consultation with OEH; d) the management and monitoring requirements for compensatory habitat works and other biodiversity offset measures proposed to ensure the outcomes of the package are achieved, including: e) the monitoring of the condition of species and ecological communities at offset (including translocation) locations; f) the method for the monitoring program(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites; g) provisions for the annual reporting of the monitoring results for a set period of time as determined in consultation with the OEH; and h) timing and responsibilities for the implementation of the provisions of the Package <p>The Approved Biodiversity Offset Package shall be published on the Project Website within 7 days of its approval.</p> <p>Where land offsets cannot solely achieve compensation for the loss of habitat, additional measures shall be provided to collectively deliver an improved or maintained biodiversity outcome for the region. Where monitoring referred to in (e) above indicates that biodiversity outcomes are not being achieved, remedial actions shall be undertaken to ensure that the objectives of the Biodiversity Offset Package are achieved to the satisfaction of the Secretary. Such remedial actions shall be documented under an addendum to the Biodiversity Offset Package and the addendum be submitted to the satisfaction of the Secretary, prior to the implementation of that addendum.</p> <p>Prior to the commencement of clearing within the railway corridor between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant shall develop and implement a Biodiversity Offset Package to the satisfaction of the Secretary. The Package shall detail how the ecological values lost as a result of the SSD will be offset. The Package shall be consistent with the NSW Biodiversity Offsets Policy for Major Projects (OEH 2014), unless otherwise agreed by the Secretary.</p> <p>The Package shall include, but not necessarily be limited to:</p> <p>If the applicant can demonstrate to the satisfaction of the Secretary that the proposed offset land for between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge has been</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>secured, the Applicant shall within 12 months of the commencement of construction develop and implement the Biodiversity Offset Package to the satisfaction of the Secretary in accordance with items (a)-(h) above.</p> <p>Note: Where the Applicant has opted to develop a consolidated Biodiversity Offset Package covering both the Moorebank Intermodal Terminal (SSD 5066) and SIMTA sites, this must be submitted to the Secretary within 12 months of submitting the initial Biodiversity Offset Package in accordance with this condition</p>			
C23B	<p>The Applicant shall:</p> <ul style="list-style-type: none"> a) remove the disused rail spur traversing the Southern Boot Land and remediate and rehabilitate the land containing the disused rail spur traversing the Southern Boot Land, which is identified in blue dotted outline on Attachment A to these conditions titled “Figure 1 – Wattle Grove Offset Area”; and b) once remediation of the disused rail spur is complete, apply within 2 months of completion of the remediation to amend the biobanking agreement to incorporate the land shaded yellow on Attachment A to these conditions titled “Figure 1 – Wattle Grove Offset Area”; and Prior to the commencement of clearing between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant shall develop and implement a Biodiversity Offset Package to the satisfaction of the Secretary. The Package shall detail how the ecological values lost as a result of the SSD will be offset. The Package shall be consistent with the NSW Biodiversity Offsets Policy for Major Projects (OEH 2014), unless otherwise agreed by the Secretary. c) apply within 2 months of the issue of the biobanking agreement to amend the biobanking agreement to incorporate the land shaded red on Attachment A to these conditions titled “Figure 1 – Wattle Grove Offset Area”. <p>Nothing in this condition requires the Applicant to amend the biobanking agreement application lodged with OEH in February 2017.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Transport and access				
C24	Prior to the commencement of construction, the Applicant shall undertake a Road Safety Audit in consultation with TfNSW and the relevant Council for the proposed construction vehicle access points on public roads. The audit shall be undertaken by an independent TfNSW accredited road safety auditor in accordance with the relevant Austroads guidelines to identify any safety issues for the proposed construction vehicle access. The audit shall recommend corrective actions for any identified safety issues and propose appropriate traffic management measures (i.e. temporary traffic signals).	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
C25	The design of new traffic signals (including modification of existing traffic signals) along Moorebank Avenue shall be designed to meet RMS requirements, Austroads Guide to Road Design and relevant RMS supplements (available on www.rms.nsw.gov.au). Plans shall be and prepared in consultation with RMS, be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
C26	The design of new traffic signals (including modification of existing traffic signals) along Moorebank Avenue shall be designed to meet RMS requirements, Austroads Guide to Road Design and relevant RMS supplements (available on www.rms.nsw.gov.au). Plans shall be and prepared in consultation with RMS, be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Rail link noise barrier design contingency				
C27	The Applicant shall design the rail link to accommodate the installation of trackside noise barriers for the full length of the rail link in the event they may be required at some future time to comply with the project specific noise levels.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			7628 are subject to separate audit programs and do not form part of this audit.	
PART D - COMMUNITY INFORMATION AND REPORTING				
Community communication strategy				
D1	<p>Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall prepare and implement a Community Communication Strategy to the satisfaction of the Secretary. The Strategy shall provide mechanisms to facilitate communication between the Applicant (and its contractor(s)), the Environmental Representative (see condition E4), the relevant Council and community stakeholders (particularly adjoining landowners) on the design and environmental management of construction. The Strategy shall include, but not be limited to:</p> <ul style="list-style-type: none"> a) identification of stakeholders to be consulted as part of the Strategy, including affected and adjoining landowners, key community and business groups, and community and social service organisations; b) procedures and mechanisms for the regular distribution of accessible information to community stakeholders on construction progress and matters associated with environmental management, including provision of information in appropriate community languages; c) procedures and mechanisms through which the community stakeholders can discuss or provide feedback to the Applicant and/or Environmental Representative in relation to the environmental management and delivery of the SSD; d) procedures and mechanisms through which the Applicant can respond to enquiries or feedback from the community stakeholders in relation to the environmental management and delivery of the SSD; and e) procedures and mechanisms that would be implemented to resolve issues/disputes that may arise between parties on the matters relating to environmental management and the delivery of the SSD, including but not limited to disputes regarding rectification or compensation for impacts to third party property and infrastructure. These procedures and mechanisms may include the use of a suitably qualified and experienced independent mediator. 	<p>Operation Community Communication Strategy, Moorebank Logistics Park – East Precinct, 23/01/2023 Rev.6 (the OCCS)</p> <p>Post Approval Form 27/03/2023</p> <p>Letter from DPHI to Tactical, 7/9/2023 re. Revised OMPs</p> <p>https://moorebankintermodalprecinct.com.au/precincts/moorebank-precinct-east/</p> <p>https://moorebankintermodalprecinct.com.au/community/</p> <p>https://moorebankintermodalprecinct.com.au/wp-content/uploads/2024/04/Moorebank-Intermodal-Precinct-Online-Complaints-document-toJun24.pdf</p> <p>Complaints Register current to 31 May 2024</p>	<p>The OCCS was prepared to address requirement a – e of this condition and was approved prior to construction and remains in place. On 08/04/20 the Department confirmed that it is satisfied with the OEMP, OWMP, 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.</p> <p>OCCS was last update on the 13/01/2023 (Rev.6) to include warehouse layout changes, traffic changes to access, Mod 1,3 and 4, LOGOS change and PLP East Precinct site management changes.</p> <p>DPHI acceptance of the OCCS on the 7/9/2023.</p> <p>Note: It was noted that the OCCS was last updated on the 13/01/2023 (revision 6) but the document has different dates at the front page and in the revision table history. The Applicant indicated that this condition only applies to the construction phase of the project. Therefore the auditor has raised a ‘Note’ only for the discrepancies found in the document.</p> <p>The Community Consultative Committee (CCC) was established well before commencement of operations. Meetings are carried out quarterly. Sighted meeting minutes available online (last one 7/12/2023); the CCC continues to meet at the set intervals and involves representatives from each of the stakeholders identified.</p> <p>Meetings minutes online include: 24/08/2023 and 7/12/2023. Other meetings were carried out on the 18/5/2022, 10/08/2022, 9/11/2022, 16/02/2023, 18/5/2023.</p> <p>The complaints register is current up to 31 May 2024, is accessible online. However, it is noted that register does not clearly indicate which complaints are assigned to the project construction works and which ones are related to operations.</p>	Compliant
Complaints and enquiries procedure				
D2	<p>Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall ensure that the following are available for community enquiries and complaints for the duration of construction:</p> <ul style="list-style-type: none"> a) a 24 hour telephone number(s) on which complaints and enquiries about the SSD may be registered; 	<p>Operation Community Communication Strategy, Moorebank Logistics Park – East Precinct, 23/01/2023 Rev.6 (the OCCS)</p>	<p>The OCCS was prepared and includes complaints management procedures. It was approved prior to construction and remains in place.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>b) a postal address to which written complaints and enquires may be sent;</p> <p>c) an email address to which electronic complaints and enquiries may be transmitted; and</p> <p>d) a mediation system for complaints unable to be resolved.</p> <p>The telephone number, the postal address and the email address shall be published in newspaper(s) circulating in the local area prior to the commencement of construction and prior to the commencement of operation. This information shall also be provided on the website (or dedicated pages) required by this approval.</p>	<p>Letter from DPHI to Tactical, 7/9/2023 re. Revised OMPs</p> <p>https://moorebankintermodalprecinct.com.au/community/</p> <p>https://moorebankintermodalprecinct.com.au/wp-content/uploads/2024/04/Moorebank-Intermodal-Precinct-Online-Complaints-document-toJun24.pdf</p> <p>Complaints Register current to 31 May 2024</p> <p>https://moorebankintermodalprecinct.com.au/contact/</p>	<p>The Auditor tested the complaints phone line with no issues.</p> <p>The project website includes a postal address, 1800 number and email and the site notice at the Moorebank Precinct East Entrance includes the 1800 number, email address and project website.</p> <p>Elton Consulting was appointed as the Community Consultant and handles all complaints and enquiries. There is an email address: simta@elton.com.au</p>	
D3	<p>Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall prepare and implement a Construction Complaints Management System consistent with AS ISO 100022006 Customer satisfaction - Guidelines for complaints handling in organisations (ISO 10002:2004, MOD) and maintain the System for the duration of construction and up to 12 months following completion of construction.</p> <p>Information on all complaints received, including the means by which they were addressed and whether resolution was reached, with or without mediation, shall be maintained in a complaints register and included in the construction compliance reports required by this approval. The information contained within the System shall be made available to the Secretary on request.</p>	<p>Operation Community Communication Strategy, Moorebank Logistics Park – East Precinct, 23/01/2023 Rev.6 (the OCCS)</p> <p>DPHI acceptance of the OCCS on the 7/9/2023</p> <p>https://moorebankintermodalprecinct.com.au/contact/</p> <p>https://moorebankintermodalprecinct.com.au/wp-content/uploads/2024/04/Moorebank-Intermodal-Precinct-Online-Complaints-document-toJun24.pdf</p> <p>Complaints Register current to 31 May 2024</p> <p>CCC meeting minutes, 24/08/2023, 7/12/2023, 18/5/2022, 10/08/2022, 9/11/2022, 16/02/2023, 18/5/2023.</p> <p>Email to DPHI, 23/08/21, 15/11/21, 29/11/21, (issue of the complaints register)</p> <p>Compliance Report No.7, 3/4/2024,</p>	<p>The OCCS was prepared and includes complaints management procedures. It was approved prior to construction and remains in place. OCCS was last update on the 13/01/2023 (Rev.6) to include warehouse layout changes, traffic changes to access, Mod 1,3 and 4, LOGOS change and PLP East Precinct site management changes. DPHI acceptance of the OCCS on the 7/9/2023.</p> <p>The Community Consultative Committee (CCC) was established well before commencement of operations. Meetings are carried out quarterly. Sighted meeting minutes available online (last one 7/12/2023); the CCC continues to meet at the set intervals and involves representatives from each of the stakeholders identified. Meetings minutes online include: 24/08/2023 and 7/12/2023. Other meetings were carried out on the 18/5/2022, 10/08/2022, 9/11/2022, 16/02/2023, 18/5/2023.</p> <p>The complaints register, current up to 31 May 2024, is accessible online. However, it does not clearly indicate which complaints are assigned to the project construction works and which ones are related to operations. During the past 3 years (May 2021 to May 2024) 59 complaints have been received across the project. Complaints are discussed at the Compliance Reports, sighted report No.7, dated 3/4/2024, section 2.4.3. It appears that two noise complaints were recorded for the Operations Phase in 2023.</p> <p>Precinct wide complaints register (summary) is issued to the DPHI, sighted for 2021. For 2022 and 2023 complaints are issues through the six-monthly compliance report.</p>	Compliant
Provision of electronic information				
D4	<p>Prior to commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall establish and maintain a new website, or dedicated pages within an existing website, for the provision of electronic information associated with the SSD, for the duration of construction. The Applicant shall, subject to confidentiality, publish and maintain up-to-date information on the website or dedicated pages including, but not necessarily limited to:</p> <p>a) information on the current implementation status of the SSD;</p>	<p>Operation Community Communication Strategy, Moorebank Logistics Park – East Precinct, 23/01/2023 Rev.6 (the OCCS)</p> <p>https://moorebankintermodalprecinct.com.au/precincts/moorebank-precinct-east/</p>	<p>The project website contains:</p> <ul style="list-style-type: none"> the EIS and associated material. the consents and modifications 	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	b) a copy of the documents listed in condition A1, and any documentation supporting modifications to this approval that may be granted from time to time; c) a copy of this approval and any future modification to this approval; d) a copy of each relevant environmental approval, licence or permit required and obtained in relation to the SSD; e) a copy of each current report, plan or other document required under this approval; f) the outcomes of compliance tracking in accordance with condition C4 of this approval; and g) details of any contact point(s) to which community complaints and enquiries may be directed, including a telephone number, a postal address and an email address real time noise, dust and water data, where such data is collected under this consent	https://moorebankintermodalprecinct.com.au/community/ https://moorebankintermodalprecinct.com.au/community/ https://moorebankintermodalprecinct.com.au/contact/ https://moorebankintermodalprecinct.com.au/wp-content/uploads/2024/04/Moorebank-Intermodal-Precinct-Online-Complaints-document-toJun24.pdf Complaints Register current to 31 May 2024 Newsletter 23/12/2023	<ul style="list-style-type: none"> 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 operations is included in the compliance report. Newsletters also posted in the website since 2018, latest one 23/12/2023. contact details to enquire about the development or make a complaint; a complaints register updated on a monthly basis – current to May 2024; the Annual Reviews (Six-monthly Compliance reports) located only on the SSD 7628 tab of the website. Independent audit reports The website is current.	
PART E - CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
Approved plans to be onsite				
E1	A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, relevant Council or the Certifying Authority.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Site notice				
E2	A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Contractor, Certifying Authority and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements: <ul style="list-style-type: none"> a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size; b) The notice is to be durable and weatherproof and is to be displayed throughout the works period; c) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and d) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Contact telephone number				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
E3	The Applicant shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Environmental representative				
E4	<p>Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall appoint a suitably qualified and experienced Environmental Representative(s) that is independent of the design and construction personnel, and that has been approved by the Secretary. The Applicant shall employ the Environmental Representative(s) for the duration of construction of this stage, or as otherwise agreed by the Secretary. The Environment Representative(s) shall:</p> <ul style="list-style-type: none"> a) be the principal point of advice in relation to the environmental performance of construction; b) monitor the implementation of environmental management plans and monitoring programs required under this approval and advise the Applicant upon the achievement of these plans/programs; c) have responsibility for considering, and advising the Applicant on, matters specified in the conditions of this approval, and other licences and approvals related to the environmental performance and impacts of construction; d) ensure that environmental auditing is undertaken in accordance with the Applicant's Environmental Management System(s); e) be given the authority to approve/reject minor amendments to the Construction Environment Management Plan. What constitutes a "minor" amendment shall be clearly explained in the Construction Environment Management Plan; f) be given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts; and g) be consulted in responding to the community concerning the environmental performance of construction where the resolution of points of conflict between the Applicant and the community is required. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
E5	The Environmental Representative shall prepare and submit to the Secretary a quarterly report on the Environmental Representative's actions and decisions on matters specified in condition E4. The reports shall be submitted within seven (7) days for the end of each quarter for the duration of construction, or as otherwise agreed by the Secretary. Notwithstanding, the Environmental Representative shall be given the independence to report to the Secretary at any time and/or at the request of the Secretary.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Construction soil and water management				
E6	Soil and water management measures consistent with Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition (Landcom, 2004) shall be employed during construction to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
E7	Construction shall be undertaken to comply with section 120 of the Protection of the Environment Operations Act 1997, which prohibits the pollution of waters.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Bunding				
E8	The Applicant shall store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's Storing and Handling Liquids: Environmental Protection - Participants Handbook.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Riparian corridor works				
E9	All activities taking place in, on or under waterfront land, as defined in the Water Management Act 2000 should be conducted generally in accordance with the NSW Office of Water's Guidelines for Controlled Activities.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Incident reporting				
E10	The Applicant shall notify the Secretary and relevant public authorities of any incident with actual or potential significant on-site or off-site impacts on human health or the biophysical environment within 24 hours of becoming aware of the incident. The Applicant shall provide full written details of the incident to the Secretary within seven days of the date on which the incident occurred. Note: Where an incident also requires reporting to the EPA and/or OEH, the incident report prepared for the purposes of notifying the EPA and/or OEH would meet this requirement.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
E11	The Applicant shall meet the requirements of the Secretary or relevant public authority (as determined by the Secretary) to address the cause or impact of any incident, as it relates to this approval, reported in accordance with condition E10, within such period as the Secretary may require.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Heritage				
E12	The Applicant shall not harm, modify or otherwise impact any heritage items outside the subject site.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered2
Dangerous goods				
E13	Dangerous goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with: a) all relevant Australian Standards; b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin (Environment Protection Authority, 1997).	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.			
Dust management				
E14	The Applicant shall carry out all feasible and reasonable measures to minimise dust generated by the Development.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
E15	During construction, the Applicant shall ensure that all loaded vehicles entering or leaving the site have their loads covered; and all loaded vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking these materials on public roads.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Waste management				
E16	The reuse and/or recycling of waste materials generated on site shall be maximised as far as practicable, to minimise the need for treatment or disposal of those materials off site.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
E17	All liquid and/or non-liquid waste generated on the site shall be assessed and classified in accordance with Waste Classification Guidelines (Department of Environment, Climate Change and Water 2009).	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
E18	All waste materials removed from the subject site shall only be directed to a waste management facility or premises lawfully permitted to accept the materials.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Construction hours				
E19	Construction shall be undertaken during the following standard construction hours: a) 7:00am to 6:00pm Mondays to Fridays, inclusive; and b) 8:00am to 1:00pm Saturdays; at no time on Sundays or public holidays.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
E20	Activities resulting in a high noise impact shall only be undertaken: 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	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>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> <p>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 the subject of this condition.</p>			
E21	<p>Notwithstanding conditions E20 and E21, works may be undertaken outside the hours specified under those conditions in the following circumstances:</p> <p>a) construction works that cause LAeq (15 minute) noise levels that are:</p> <ol style="list-style-type: none"> No more than 5 dB above rating background level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009); and No more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive land uses; or <p>b) for the delivery of materials required by the police or other authorities for safety reasons; or</p> <p>c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or</p> <p>d) construction works approved through an Out-Of-Hours Work Protocol prepared as part of the Construction Noise and Vibration Management Plan required by condition E35(b), provided the relevant Council, local residents and other affected stakeholders and sensitive receivers are informed of the timing and duration at least 48 hours prior to the commencement of the works; or</p> <p>e) identified works approved by the Secretary.</p>	-	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	Not Triggered
Construction noise and vibration				
E22	<p>The Applicant shall implement all feasible and reasonable noise mitigation measures with the aim of achieving the following construction noise management levels and vibration criteria:</p> <p>a) construction noise management levels established using the Interim Construction Noise Guideline (DECC 2009);</p> <p>b) vibration criteria established using the Assessing Vibration: a Technical Guide (DECC 2006) (for human exposure); and</p> <p>c) the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures (for structural damage).</p> <p>Any construction activities identified as exceeding the construction noise management levels and/or vibration criteria shall be managed in accordance with the Construction Noise and Vibration Management Plan required by condition E35(b).</p> <p>Note: The Interim Construction Noise Guideline identifies 'particularly annoying' activities that require the addition of 5dB (A) to the predicted level before comparing to the construction Noise Management Level.</p>	-	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	Not Triggered
Construction traffic noise				
E23	<p>The Applicant is to ensure that construction vehicles operate so as to minimise any construction noise impacts from the construction site. Measures that could be used include toolbox talks, contracts that include provisions to deal with unsatisfactory noise performance for the vehicle and/or the operator, and specifying non-tonal movement</p>	-	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD</p>	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	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.		7628 are subject to separate audit programs and do not form part of this audit.	
E24	No use of compression brakes shall be permitted for construction vehicles associated with construction in the vicinity of the subject site.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Review of operational sleep disturbance impacts				
E25	<p>The Applicant shall 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 sleep disturbance predictions identified in the documents listed under Condition A1; and c) Consider appropriate noise mitigation measures where required. <p>The report shall be prepared in consultation with the EPA and be submitted to the satisfaction of the Secretary within 6 months of commencement of construction, unless otherwise agreed by the Secretary.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Transport and access				
E26	A Road Occupancy Licence (ROL) must be obtained from the Transport Management Centre (TMC) for any activity likely to impact on the operational efficiency of the road network, allowing the use of specified public road space at approved times. The Applicant must allow a minimum of 10 working days for processing from date of receipt and include a Traffic Control Plan with any application.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
E27	Construction shall be carried out, where feasible and reasonable, to avoid the use of local roads (through residential streets) by heavy vehicles to gain access to the site and/or ancillary facilities.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
E28	<p>Construction vehicles (including staff vehicles) shall be managed to:</p> <ul style="list-style-type: none"> a) minimise parking or queuing on public roads; b) minimise idling and queuing in local residential streets where practicable; c) adhere to the nominated haulage routes identified in the Construction Traffic and Access Management Plan required under condition E35(a); and ensure access and egress from construction compounds is undertaken in a safe and lawful manner. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
E29	Safe pedestrian and cyclist access through or around worksites shall be maintained during construction. In circumstances where pedestrian and cyclist access is restricted due to construction activities, a satisfactory alternate route shall be provided and signposted, including provision of temporary footpaths where pedestrian access is reliant on grassed verges.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
E30	Access to all properties affected by the carrying out of construction shall be maintained, where feasible and reasonable, unless otherwise agreed by the relevant property owner or occupier. Any access physically affected by construction shall be reinstated to at least an equivalent standard, unless agreed with by the property owner.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Biodiversity				
E31	No threatened species or communities can be cleared other than that required for construction.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
E31A	Where any threatened flora species are to be cleared, individual plants of species suitable for translocation shall be considered for translocation into areas that have been identified as requiring rehabilitation within the Biodiversity Offset Package.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
E32	The existing mature trees located on the eastern side of Moorebank Avenue shown on Drawing LA01 (Landscape Master plan) dated 30.3.2015 shall be retained, unless where required to be removed for construction of a permanent access point to the terminal site. Trees to be retained shall be protected and maintained during preconstruction and construction activities in accordance with AS4970-2009 Protection of trees on development sites. Details of tree protection must be provided to the Certifying Authority prior to the commencement of construction.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Construction environmental management plan				
E33	<p>Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall prepare and implement a Construction Environmental Management Plan (CEMP). The CEMP is to be prepared in consultation with the EPA, OEH, DPI Water, DPI Fisheries, and the relevant Council, for the approval of the Secretary. The CEMP shall outline the environmental management practices and procedures that are to be followed during construction. The CEMP is to be prepared in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004). The Secretary shall consider the comments of the office of Strategic Lands in its consideration of the CEMP. The CEMP shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) a description of activities to be undertaken during construction; b) statutory and other obligations that the Applicant is required to fulfil during construction, including approvals, consultations and agreements required from authorities and other stakeholders under key legislation and policies; c) a description of the roles and responsibilities for relevant employees involved in construction, including relevant training and induction provisions for ensuring that employees, including contractors and sub-contractors, are aware of their environmental and compliance obligations under these conditions of approval; d) an environmental risk analysis to identify the key environmental performance issues associated with construction; and e) details of how environmental performance would be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified potential adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the CEMP: 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> i) measures to monitor and manage dust emissions including dust from stockpiles, traffic on unsealed internal roads and materials tracking from construction sites onto public roads; ii) measures for the handling, treatment and management of hazardous and contaminated materials (including asbestos); iii) measures to monitor and manage waste generated during construction including but not necessarily limited to: general procedures for waste classification, handling, reuse, and disposal; use of secondary waste material in construction wherever feasible and reasonable; procedures or dealing with green waste including timber and mulch from clearing activities; and measures for reducing demand on water resources (including potential for reuse of treated water from sediment control basins); iv) measures to monitor and manage hazard and risks; v) measures to monitor and rectify any impacts to third party property and infrastructure, including details of the process for rectification or compensation of affected landowners, and timeframes for rectification works or compensation processes; and vi) the issues identified in condition E34. <p>The CEMP shall include procedures for its periodic review and update (including the sub-plans required under condition E35, as necessary (including where minor changes can be approved by the Environmental Representative).</p> <p>The CEMP shall be submitted for the approval of the Secretary no later than one month prior to the commencement of construction, or as otherwise agreed by the Secretary. The CEMP may be prepared in stages; however, construction shall not commence until written approval of the relevant stage has been received from the Secretary.</p> <p>The approval of a CEMP does not relieve the Applicant of any requirement associated with this approval. If there is an inconsistency with an approved CEMP and the conditions of this approval, the requirements of this approval shall prevail.</p>			
Construction environmental management plan- sub plans				
E34	<p>As part of the CEMP for the SSD, the Applicant shall prepare and implement:</p> <ul style="list-style-type: none"> a) a Construction Traffic and Access Management Plan to ensure traffic and access controls are implemented to avoid or minimise impacts on traffic, pedestrian and cyclist access, and the amenity of the surrounding environment. The Plan shall be developed in consultation with the relevant Council, emergency services, road user groups, and relevant pedestrian and bicycle user groups, and include, but not necessarily be limited to: <ul style="list-style-type: none"> i) identification of construction traffic routes and construction traffic volumes (including heavy vehicle/spoil haulage) on these routes; <p>details of vehicle movements for construction sites and ancillary facilities including parking, dedicated vehicle turning areas, and ingress and egress points; discussion of construction impacts that could result in disruption of traffic, public transport, pedestrian and cycle access, access to public land, property access, including details of oversize load movements, and the nature and duration of those impacts;</p> ii) discussion of construction impacts that could result in disruption of traffic, public transport, pedestrian and cycle access, access to public land, property access, including details of oversize load movements, and the nature and duration of those impacts; 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> iii) details of management measures to minimise traffic impacts, including temporary road work traffic control measures, onsite vehicle queuing and parking areas and management measures to minimise peak time congestion and measures to ensure safe pedestrian and cycle access; iv) details of measures to maintain or provide alternative safe and accessible routes for pedestrians throughout the duration of construction; v) details of measures to maintain connectivity for cyclists, with particular emphasis on providing adequate access between key existing cycle routes for commuter cyclists; vi) details of measures to manage traffic movements, parking, loading and unloading at ancillary facilities during out-of-hours work; vii) (viii) details of methods to be used to communicate proposed future traffic changes to affected road users, pedestrians and cyclists, consistent with the Community viii) Communication Strategy required under condition D1; ix) an adaptive response plan which sets out a process for response to any traffic, construction or other incident; and x) mechanisms for the monitoring, review and amendment of this plan. 			
E34	<p>b) a Construction Noise and Vibration Management Plan to detail how construction noise and vibration impacts will be minimised and managed. The Plan shall be consistent with the guidelines contained in the Interim Construction Noise Guidelines (Department of Environment and Climate Change 2009). The plan shall be developed in consultation with the EPA and shall include, but not be limited to:</p> <ul style="list-style-type: none"> i) identification of the work areas, site compounds and access points; ii) identification of sensitive receivers and relevant construction noise and vibration goals applicable to the SSD and stipulated in the conditions above; iii) details of construction activities and an indicative schedule for works, including the identification of key noise and/or vibration generating construction activities (based on representative construction scenarios, including at ancillary facilities) that have the potential to generate noise and/or vibration impacts on surrounding sensitive receivers, particularly residential areas; iv) an Out-of-Hours Work Protocol for the assessment, management and approval of works outside of standard construction hours as defined in condition E19 of this approval, for the Secretary's approval. The Out-of-Hours Work Protocol must detail: <ul style="list-style-type: none"> (a) assessment of out-of-hours works against the relevant noise and vibration criteria; (b) detailed mitigation measures for any residual impacts (that is, additional to general mitigation measures), including extent of at receiver treatments; and (c) proposed notification arrangements. v) identification of feasible and reasonable measures proposed to be implemented to minimise and manage noise impacts (including construction traffic noise impacts), including, but not limited to, acoustic enclosures, erection of noise walls (hoardings) and respite periods; vi) 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 blasting and/ or vibration is likely to result in damage to buildings and 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>structures (including surveys being undertaken immediately following a monitored exceedance of the criteria);</p> <p>vii) a description of how the effectiveness of mitigation and management measures would be monitored during construction, 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 noncompliance would be rectified; and</p> <p>viii) mechanisms for the monitoring, review and amendment of this plan</p>			
E34	<p>c) a Construction Heritage Management Plan to ensure construction impacts on Aboriginal and non-Aboriginal heritage will be appropriately avoided minimised and managed. The Plan shall be developed in consultation with OEH, the relevant Council, the NSW Heritage Council (for non-Aboriginal State heritage items) and the relevant Local Aboriginal Land Councils (for Aboriginal heritage), and include, but not necessarily be limited to:</p> <p>d) in relation to Aboriginal Heritage:</p> <p>i) details of management measures to be carried out in relation to Aboriginal heritage, including a detailed methodology and strategies for protection, monitoring, and conservation of sites and items;</p> <p>(a) procedures for dealing with previously unidentified Aboriginal objects (excluding human remains), including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures, including when works can re-commence, by a suitably qualified and experienced archaeologist in consultation with the Secretary and Aboriginal stakeholders, assessment of the consistency of any Aboriginal heritage impacts against the approved impacts of the SSD, and, where relevant, registration in the OEH's Aboriginal Heritage Information Management System (AHIMS) register;</p> <p>(b) procedures for dealing with human remains, including cessation of works in the vicinity, notification of Secretary, NSW Police Force, OEH and Aboriginal stakeholders, and commitment to cease recommencing any works in the area unless authorised by the OEH and/or the NSW Police Force;</p> <p>(c) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) and obligations under the conditions of this approval including site identification, protection and conservation of Aboriginal cultural heritage; and</p> <p>(d) procedures for ongoing Aboriginal consultation and involvement for the duration of construction; and</p> <p>ii) in relation to non-Aboriginal Heritage:</p> <p>(a) identification of heritage items directly and indirectly affected by construction;</p> <p>(b) b) consideration of methods to prevent damage to any retained heritage items, including:</p> <p>(c) details of management measures to be implemented to prevent and minimise impacts on heritage items (including further heritage investigations, archival recordings and/or measures to protect unaffected sites during construction works in the vicinity);</p> <p>(d) details of monitoring and reporting requirements for impacts on heritage items;</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> (e) procedures for dealing with previously unidentified heritage objects, (including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a suitably qualified and experienced archaeologist in consultation with the OEH, NSW Heritage Council and the Secretary, assessment of the consistency of any heritage impacts against the approved impacts of the SSD, and, where relevant, notification of the Heritage Council of NSW in accordance with section 146 of the Heritage Act 1977; and (f) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions and obligations under this approval including site identification, protection and conservation of non-Aboriginal cultural heritage; and iii) mechanisms for the monitoring, review and amendment of this plan. 			
E34	<p>e) a Construction Flora and Fauna Management Plan to detail how impacts on ecology (as detailed in the most recent mapping endorsed by OEH) will be minimised and managed. The Plan shall be developed by a suitably qualified and experienced ecologist and in consultation with the OEH, and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i) plans for impacted and adjoining areas showing vegetation communities; important flora and fauna habitat areas; locations where threatened species, populations or ecological communities have been recorded; including pre-clearing surveys to confirm the location of threatened flora and fauna species and associated habitat features; ii) the identification of areas to be cleared and details of management measures to avoid residual habitat damage or loss and to minimise or eliminate time lags between the removal and subsequent replacement of habitat such as: <ul style="list-style-type: none"> (a) clearing minimisation procedures (including fencing), (b) clearing procedures (including nest box plan), (c) removal and relocation of fauna during clearing, (d) habitat tree management, and (e) construction worker education; (f) installation of exclusion fencing prior to commencement of construction. iii) rehabilitation details, including identification of flora species and sources, and measures for the management and maintenance of rehabilitated areas; iv) a Weed Management Strategy, incorporating weed management measures focusing on early identification of invasive weeds and effective management controls (including for those related to aquatic and riparian zones); v) a description of how the effectiveness of these management measures would be monitored; vi) a procedure for dealing with unexpected EEC/ threatened species identified during construction, including cessation of work and notification of the OEH and DPI Fisheries, determination of appropriate mitigation measures in consultation with the OEH and DPI Fisheries (including relevant re-location measures) and updating of ecological monitoring and/ or biodiversity offset requirements; and vii) mechanisms for the monitoring, review and amendment of this plan. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
E34	<p>f) a Construction Air Quality Management Plan to detail how impacts on local air quality will be minimised and managed. The Plan shall be developed in consultation with the EPA, and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i) identification of sources (including stockpiles and open work areas) and quantification of airborne pollutants; ii) key performance indicators for local air quality during construction; iii) details of monitoring methods, including location, frequency and duration of monitoring; iv) mitigation measures to minimise impacts on local air quality; v) procedures for record keeping and reporting against key performance indicators; vi) provisions for implementation of additional mitigation measures in response to issues identified during monitoring and reporting; and vii) mechanisms for the monitoring, review and amendment of this plan. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
E34	<p>g) a Construction Soil and Water Management Plan to manage surface and groundwater impacts during construction. The plan shall be developed in consultation with, EPA, NSW Office of Water, and relevant Councils, and include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i) details of construction activities and their locations, which have the potential to impact on water courses, storage facilities, stormwater flows, and groundwater, including identification of all pollutants that may be introduced into the water cycle; ii) potential impacts on watercourse bank stability and the development of appropriate mitigation measures as required; iii) emergency response procedures addressing potential flood impacts or spill incidents; iv) an Erosion and Sediment Control Plan, detailing measures to manage any erosion and sedimentation impacts into the Georges River or Anzac Creek; v) an Acid Sulfate Soils Management Plan, if required, including measures for the management, handling, treatment and disposal of acid sulfate soils, including monitoring of water quality at acid sulfate soils treatment areas, should construction activities impact on acid sulfate soils; vi) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be undertaken, the locations where monitoring would take place, how the results of the monitoring would be recorded and reported, and, if any exceedance of the criteria is detected how any noncompliance can be rectified; and vii) mechanisms for the monitoring, review and amendment of this plan. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
PART F - PRIOR TO OPERATIONS				
Post-Construction Dilapidation Report				
F1	The Applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works:	Post construction dilapidation report, road footpaths, and kerbs, Craigmar, 12/05/19.	The dilapidation reports were prepared for footpaths, roads and kerbs (no buildings and other utilities were in the vicinity). The reports were submitted to the Certifier. The Certifier confirmed acceptance via issue of the OC.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>a) This report is to ascertain whether the construction works created any structural damage to footpaths, roads, buildings and other utilities in the vicinity of the development.</p> <p>b) The report is to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Certifying Authority must:</p> <ul style="list-style-type: none"> i) compare the post-construction dilapidation report with the pre-construction dilapidation report ; and ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads as a result of construction. <p>c) The report shall be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS and the Secretary.</p>	<p>Moorebank Ave Dilapidation findings (roads structural damage), Northrop, 11/07/19.</p> <p>Moorebank Ave Condition F1 Letter, Qube to Tactical, 11/12/19.</p> <p>Email Tactical to Certifier, 08/01/20</p> <p>Interim Occupation Certificate, 19/124050-7, McKenzie Group, 16/07/19)</p> <p>Emails x 2 Tactical to LCC and Campbelltown Council, 14/01/20</p> <p>Email Tactical to DPHI 14/01/20</p> <p>Email Tactical to TfNSW (RMS), 14/01/20</p>	The reports were submitted to Councils, DPIE and TfNSW.	
Easements				
F2	Prior to the commencement of operation, the Applicant shall submit the final draft section 88B instrument, if relevant to the Certifying Authority and the Secretary for information.	<p>Memo, Tactical to DPHI, 030319</p> <p>Interim Occupation Certificate, 19/124050-7, McKenzie Group, 16/07/19)</p> <p>Interface Deed – Moorebank Logistics Precinct, between Qube RE Services (Terminal Assets Co & Terminal Operations Co) and the Trust Company (Warehouse Development Co), 3/12/2021</p>	<p>88B instruments were obtained for the MIDIT Rail Easement and the GWS Rail Easement. These were submitted to the Department on 03/03/2019. The OC verifies acceptance by the Certifier.</p> <p>No easements exist or are required under the MPE Stage 1 footprint. Under MPE Stage 2 footprint easements will be required (separate to this approval).</p> <p>Note: The evidence provided indicates this condition is being satisfied via the building certification process. WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition.</p>	Not Triggered
External lighting				
F3	External Lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the Applicant shall submit to the Certifying Authority, in consultation with the relevant Council and RMS, evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.	<p>Moorebank Logistics Park Lighting Design Report, Northrop, 21/05/19</p> <p>Statement of Compliance, Northrop, 28/06/19</p> <p>Email chain Tactical and RMS, 23/05/19 – 11/06/19</p> <p>Email chain Tactical and LCC, 17/06/19</p> <p>Interim Occupation Certificate, 19/124050-7, McKenzie Group, 16/07/19)</p>	<p>The lighting design was prepared in accordance with this requirement and in consultation with the identified parties.</p> <p>The Statement of compliance confirms installation as per the design. The OC verifies acceptance by the Certifier that it complies with this requirement.</p> <p>Note: The evidence provided indicates this condition is being satisfied via the building certification process. WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition.</p>	Compliant
Operation environmental management plan				
F4	The Applicant shall prepare and implement (following approval) an Operation Environmental Management Plan (OEMP). The Plan shall outline the environmental management practices and procedures that are to be followed during operation, and shall be prepared in consultation with relevant agencies and in accordance with the Guideline	Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, Rev 18, 13/01/23, SIMTA (the OEMP)	OEMP was updated to version 18 dated 13/01/23 and submission to DPHI was sighted through planning portal. Update on the plan include changes in the warehouse layout, traffic changes to access points to IMEX and PIWE, Mods 1-	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004). The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) a description of activities to be undertaken during operation (including staging and scheduling); b) statutory and other obligations that the Applicant is required to fulfil during operation, including approvals, consultations and agreements required from authorities and other stakeholders under key legislation and policies; c) overall environmental policies, guidelines and principles to be applied to the operation of the project; d) a description of the roles and responsibilities for relevant employees involved in the operation of the project, including relevant training and induction provisions for ensuring that employees are aware of their environmental and compliance obligations under these conditions of approval; e) an environmental risk analysis to identify the key environmental performance issues associated with the operation phase; f) details of management and monitoring of environmental performance, including the actions to be taken to address identified potential adverse environmental impacts (and any impacts arising from staging of the project construction). In particular, the following environmental performance issues shall be addressed in the Plan: <ul style="list-style-type: none"> i) noise emissions including measures for regular performance monitoring of noise generated by the project and measures to proactively respond to and deal with noise complaints; ii) a description of the proposed and/or implemented measures to minimise visual impact project components, such as landscaping and design considerations; iii) procedures for the monitoring and maintenance of the watercourse crossings to achieve stable creek bed and banks; iv) and air emissions including measures for regular performance monitoring of air quality generated by the Project and measures to proactively respond to and deal with air quality complaints. <p>The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation, or as otherwise agreed by the Secretary.</p> <p>Operation shall not commence until written approval has been received from the Secretary.</p> <p>The approval of an Operation Environmental Management Plan does not relieve the Applicant of any requirement associated with this project approval. If there is an inconsistency with an approved Operation Environmental Management Plan and the conditions of this approval, the requirements of this approval prevail.</p>	<p>Post Approval Submission (DPHI portal) undated re: submission of OEMP Rev 18</p> <p>Stormwater Infrastructure Operation and Maintenance Plan Moorebank Logistics Park – East Precinct, 23/01/23, SIMTA (the SIOMP), Rev.8</p> <p>Operational Air Quality Management Plan, SIMTA, 23/01/23 (OAQMP), Rev. 12</p> <p>Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP) Rev.12 (no changes)</p> <p>Operational Traffic and Access Management Plan, SIMTA, 23/01/23 (OTAMP), Rev. 14</p> <p>Operational Waste and Resources Management Plan, SIMTA, 23/01/23 (OTAMP), Rev. 11</p> <p>Operational Flora and Fauna Management Plan, SIMTA, 13/01/23 (OTAMP), Rev. 09</p> <p>Letter from DPHI to Tactical, 7/9/2023 re. Revised OMPs</p> <p>Email from NSW Safety, Health and Sustainability Manager Qube Logistics to Tactical, 16/5/24</p> <p>Reach Stacker Inspection checklist, Kalmar</p> <p>Forklift Operator Pre-Start-up Checklist, Qube, 9/2/23</p> <p>Vehicle refuelling procedure, Qube 25/5/23 (V1.3)</p> <p>Locomotive Fuelling Procedure PCE-156, Qube 16/7/2019, version 4.0</p> <p>https://simta.com.au/mpe-2/</p>	<p>4 to SSD 7628, changes to MLP East Precinct site management and Logo changes.</p> <p>It is understood that operations commenced 17/05/20.</p> <p>Letter from DPHI to Tactical, 7/9/2023 re. Revised OMPs the Department confirmed that it is satisfied with the OEMP, OWMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS.</p> <p>The observation raised in the previous audit regarding the point of refuelling the Reacher Stacker Cranes not been adequately bunded was address with the following evidence:</p> <p>Email from NSW Safety, Health and Sustainability Manager Qube Logistics dated 16/5/24 confirms that there was a bund placed within Rail Line 1 to capture any spills and this ran into the traverser area and liquid(s) entering this area was then managed by the oil water separator. Strips on the ground were reseated with some type of filler membrane between the strip and the ground. These then became part of the site maintenance program and were inspected as part of the facility inspections.</p> <p>Sighted Reach Stacker Inspection checklist, Forklift Operator Pre-Start-up Checklist, Vehicle refuelling procedure (V1.3) and Locomotive Fuelling Procedure (version 4.0) from Qube.</p>	
Operational noise				
F5	<p>Prior to the commencement of operation, the Applicant shall prepare a Brake Squeal Report on brake squeal identifying the following:</p> <ul style="list-style-type: none"> a) The extent of brake squeals across the fleet of rail vehicles that will frequently use the terminals. This should identify the number of occurrences of brake squeal, the typical noise levels associated with brake squeal (including the frequency content), and the operational conditions under which brake squeal occurs (e.g. under light braking, hard braking, low / medium / high speed, effects of temperature and weather, etc.); b) The root cause of brake squeal, including the influence of the design, set-up and maintenance of both brake shoes and brake rigging; 	Brake Squeal Report, Renzo, 02/07/19	<p>The Brake Squeal Report was prepared prior to operations and addresses the requirements from this condition.</p> <p>Refer comments related to condition G7. The permanent noise monitoring system is positioned at a location on the rail link where it can capture noise levels associated with curve brake squeal should this occur.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>c) Possible solutions to mitigate or eliminate brake squeal, including modifications to brake rigging and alternative brake shoe designs and compounds; and</p> <p>d) Any monitoring system proposed to capture brake squeal.</p>			
F5A	<p>The Applicant shall prepare and implement (following approval) a Container Noise Barrier Management Plan (CNBMP). The plan shall be prepared by a suitably experienced and qualified acoustics consultant and shall outline the management practices and procedures that are to be followed during night-time operation of the site and for the stacking of containers to be used as noise barriers. The plan shall include, but not necessarily be limited to:</p> <p>a) the preparation of a specification for the stacking of containers to achieve the required level of noise reduction so as to comply with the project specific noise levels** and the sleep disturbance trigger levels*** for the night-time period* at the nearest affected residential receivers and which is to include such details as the minimum numbers of containers, their locations, stacking heights, orientation and maximum gap between containers. The Plan shall include any restrictions on stacking of containers above two high if this is found necessary.</p> <p>b) the measurement of noise from operation of the site and an assessment of compliance with the project specific noise levels and the sleep disturbance trigger levels at the nearest affected residential receivers at the following times:</p> <ol style="list-style-type: none"> not less than 3 months and not more than 6 months after commencement of operation, noise surveys shall be conducted on three separate nights for a period of not less than 2 hours whilst train wagons are being loaded with containers; thereafter for 6 months on one night per month for a period of not less than 2 hours whilst train wagons are being loaded with containers. Noise measurements shall be conducted in accordance with the EPA's Industrial Noise Policy <p>c) the details of each noise survey shall be documented in a report with a drawing showing the observed location of containers which are subject to the Plan, the measurement equipment used, its calibration status, environmental conditions, receiver locations, methodology, a detailed description of the activities on site, the results obtained and whether or not compliance has been achieved with the project specific noise levels and the sleep disturbance trigger levels at the nearest affected residential receivers.</p> <p>d) if the report concludes that the project specific noise levels and the sleep disturbance trigger levels for the night-time period at the nearest affected residential receivers are not being complied with, then recommendations shall be made by the acoustic consultant to amend the Plan accordingly and the Applicant shall implement those recommendations as soon as practical provided they are feasible and reasonable.</p> <p>e) the Plan shall include a description of the roles and responsibilities for relevant employees involved in the operation of the CNBMP, including relevant training and induction provisions for ensuring that employees are aware of their environmental and compliance obligations under the Plan.</p> <p>The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation. Copies of the detailed reports and the Plan (as amended) shall be provided to the Secretary and made available on the Project Website.</p> <p>* The night-time period is defined as 10pm-7am Mon-Sat and 10pm-8am Sundays and Public Holidays</p> <p>** Contained within the LAEq (15 min) column in Table A in Condition F5B</p> <p>*** Contained within the Review of Operational Sleep Disturbance Impacts</p>	<p>Container Noise Barrier Management Plan, SIMTA, 19/03/20 (The CNBMP)</p> <p>Letter DPHI to Qube, 16/08/19 (approval of F5A, G6(b), G7A, and G7 reports)</p> <p>Email, DPHI to Tactical, 19/11/19</p> <p>CNBMP 28/03/2023 Rev.7, updated 22/11/2023 Rev.8</p> <p>Letter from DPHI to Aspect, 13/5/2024 re. Container Noise Barrier Management Plan (Condition F5A) approval</p> <p>Annual Noise Review Reports from Renzo Tonin for:</p> <ul style="list-style-type: none"> From Feb 2020 to Mar 2021 (Y1 Ops), 21/6/2021, Issue 2 From Apr 2021 to Apr 2022 (Y2 Ops), 23/05/2022, Issue 2 From Apr 2022 to Apr 2023 (Y3 Ops), 6/07/2023, Issue 2 <p>Operational Noise Monitoring Report (50% occupation) for Moorebank Logistics Park (MPE), from Renzo Tonin for Q1 2021, 21/6/2021, Issue 3.</p>	<p>The CNBMP was prepared by SIMTA in 2019 and was updated to address each of the requirements of this condition.</p> <p>On 16/08/19 the Department approved the CNBMP (CoC F5A, the Best Practice Wagon Report (G6b), Rail Noise Angle of Attack Report (G7 G7A). This was also confirmed by way of email on 19/11/19.</p> <p>Annual Noise Review Reports have been prepared by Renzo Tonin, sighted for Feb 2020 to Mar 2021 (Year 1 Operations), Apr 2021 to Apr 2022 (Year 2 Operations) and Apr 2022 to Apr 2023 (Year 3 Operations).</p> <p>The reports are available on the website through the six-monthly compliance reports.</p> <p>Submission to DPHI of Rev.5 was sighted – 27/03/2023.</p> <p>CNBMP was updated 28/03/2023 Rev.7 to include change in ownership, department changes and warehouse layout changes. This was submitted to DPHI as an Appendix of the ONVMSP (Appendix B).</p> <p>CNBMP was updated again on the 22/11/23 Rev.8 to address IMEX terminal TEU increase capacity. The CNBMP Rev. 8 does not impose fixed maximum height limitations to manage nighttime noise, it recognises the best measure appropriate including the optimum height for noise mitigation with a minimum container height. Stacking as a mitigation is unique to location within the terminal and local conditions at that time.</p> <p>Sighted letter from DPHI to Aspect, 13/5/2024 re. CNBMP (Condition F5A) with approval of the Plan, noting that CNBMP was updated to cover operational shift to electrical automatic night-time stacking of containers via the use of Cantilever Automated Stacking Cranes for yard stacking and electrified Automated Stacking Cranes for rail servicing.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
F5B	<p>Industrial noise (excluding activities covered by the NSW Rail Infrastructure Noise Guideline) generated by the development is to be measured and evaluated for compliance generally in accordance with the relevant requirements of the NSW Industrial Noise Policy (as may be updated from time to time).</p> <p>Table A contains the Noise Criteria dB(A).</p> <p>Note: References to sensitive receivers should be read in conjunction with the description of sensitive receivers in the EIS noting that Casula includes Glenfield Farm</p>	<p>Operational Noise and Vibration Management Plan Rev 13, SIMTA, 24/01/23 (ONVMP)</p> <p>Post Approval Submission (DPHI portal) undated re: submission of ONVMP to DPHI</p> <p>Container Noise Barrier Management Plan, SIMTA, 19/03/20 (The CNBMP), 28/03/2023 Rev.07 updated 22/11/2023 Rev.8</p> <p>Letter from DPHI to Aspect, 13/5/2024 re. Container Noise Barrier Management Plan (Condition F5A) approval</p> <p>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)</p> <p>Annual Noise Review Reports from Renzo Tonin for:</p> <ul style="list-style-type: none"> - From Feb 2020 to Mar 2021 (Y1 Ops), 21/6/2021, Issue 2 - From Apr 2021 to Apr 2022 (Y2 Ops), 23/05/2022, Issue 2 - From Apr 2022 to Apr 2023 (Y3 Ops), 6/07/2023, Issue 2 	<p>The CNBMP was prepared by SIMTA in 2019 and was updated to address each of the requirements of this condition. On 16/08/19 the Department approved the CNBMP and confirmed by way of email on 19/11/19.</p> <p>To note (SSD 7628) CoC B80 states that the "Noise generated by operation of the development inclusive of MPE Stage 1 operations must not exceed the noise limits in Table 5" of that consent. The noise limits specified by SSD 7628 CoC B80 have therefore been adopted.</p> <p>This condition is also addressed within the ONVMP, approved by the Department on 09/09/2019 and then on 7/9/2023.</p> <p>The Annual Noise Review Reports for 2021, 2022 and 2023 summarises all monitoring undertaken for the year (including, Warehouse noise monitoring, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring and Rail link angle of attack (AoA) monitoring.</p> <p>During Year 1 Operations (2021), the report included INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements and Rail link noise monitoring at residential receivers. During Year 1 and 2 of operations, the report concluded that no exceedances of the planning approval noise limits were measured during Year 1 and 2 of operations.</p> <p>During Year 3 Operation, the report indicated that noise monitoring was undertaken in response to complaints received from residents in Wattle Grove between June and September 2022. In response to these complaints, additional noise mitigation and management measures were implemented, and a noise management program was in progress to review their effectiveness.</p>	Compliant
F5C	<p>The noise criteria in Table A of condition F5B are to apply under all meteorological conditions except the following:</p> <p>a) wind speeds greater than 3 m/s at 10 metres above ground level; or</p> <p>b) stability category F temperature inversion conditions and wind speeds greater than 2 m/s at 10 m above ground level; or</p> <p>c) stability category G temperature inversion conditions.</p>	<p>Operational Noise and Vibration Management Plan Rev 13, SIMTA, 24/01/23 (ONVMP)</p> <p>Post Approval Submission (DPHI portal) undated re: submission of ONVMP to DPHI</p> <p>Container Noise Barrier Management Plan, SIMTA, 19/03/20 (The CNBMP), 28/03/2023 Rev.07 updated 22/11/2023 Rev.8</p> <p>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)</p> <p>Annual Noise Review Reports from Renzo Tonin for:</p> <ul style="list-style-type: none"> - From Feb 2020 to Mar 2021 (Y1 Ops), 21/6/2021, Issue 2 - From Apr 2021 to Apr 2022 (Y2 Ops), 23/05/2022, Issue 2 	<p>The CNBMP was prepared by SIMTA in 2019 and was updated to address each of the requirements of this condition. On 16/08/19 the Department approved the CNBMP and confirmed by way of email on 19/11/19.</p> <p>This condition is also addressed within the ONVMP, approved by the Department on 09/09/2019 and then on 7/9/2023.</p> <p>The Annual Noise Review Reports for 2021, 2022 and 2023 summarises all monitoring undertaken for the year (including, Warehouse noise monitoring, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring and Rail link angle of attack (AoA) monitoring.</p> <p>During Year 1 Operations (2021), the report included INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements and Rail link noise monitoring at residential receivers. During</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<ul style="list-style-type: none"> From Apr 2022 to Apr 2023 (Y3 Ops), 6/07/2023, Issue 2 <p>Consultation Management System</p> <p>Complaints register up to April 2024</p>	<p>Year 1 and 2 of operations, the report concluded that no exceedances of the planning approval noise limits were measured during Year 1 and 2 of operations.</p> <p>During Year 3 Operation, the report indicated that noise monitoring was undertaken in response to complaints received from residents in Wattle Grove between June and September 2022. In response to these complaints, additional noise mitigation and management measures were implemented, and a noise management program was in progress to review their effectiveness.</p> <p>The complaint received on 21/08/23 from a Wattle Grove resident about a metallic clunking noise most often at night-time from a west facing wall (towards the precinct) was investigated by the project team and it found no works could initiate noises described by the complainant were being undertaken within the precinct during night-time hours at the time of complaint. The complainant was advised that the precinct could not identify any specific events that would have caused any excessive night-time noise. Operational teams were reminded to stay vigilant when operating at night.</p>	
Traffic management				
F6	The Applicant shall prepare and implement (following approval) an Operational Traffic Management Plan to for the proposed vehicle booking system. The plan shall be prepared in consultation with the Cargo Movement Coordination Centre and include details on container turnaround times and interoperable technology (such as Port Botany RFID tags). The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation, or as otherwise agreed by the Secretary.	<p>Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, Rev 14, SIMTA, 20/01/23</p> <p>Post Approval Submission (DPHI portal) undated re: submission of OTAMP Rev 14 to DPHI</p> <p>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)</p>	<p>OTAMP prepared to meet the requirements of this condition. The Department initially approved the OTAMP on 06/12/19. The OTAMPs development is staged, and subsequent approval was obtained 28/04/20.</p> <p>OTAMP was updated to version 14 dated 20/01/23 and sighted submission to the DPHI through the planning portal. Update on the plan include changes in the warehouse layout, traffic changes to access points to IMEX and PIWE, Mods 1-4 to SSD 7628, changes to MLP East Precinct site management and Logo changes.</p> <p>Vehicle booking system in place.</p>	Compliant
F7	The Applicant shall undertake signal decommissioning (where required) in consultation with RMS prior to the commencement of operation. The Applicant shall bear the full cost associated with the decommissioning/removal/disposal of the traffic signals and associated equipment.	Interview with auditees 8-9/05/24	This is not relevant for SSD 6766. Moorebank Avenue Works are being completed under SSD 7628.	Not Triggered
F8	The Applicant shall create an easement within the site at the traffic signals to allow RMS to maintain traffic signal components, if required by the design and condition C25. If no easement is required, access to signals should be maintained for maintenance purposes at all times.	Interview with auditees 8-9/05/24	This is not relevant for SSD 6766. Moorebank Avenue Works are being completed under SSD 7628.	Not Triggered
PART G - DURING OPERATIONS				
Damage rectification				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
G1	Within 6 weeks of commencement of operation, unless otherwise agreed by the Secretary, the Applicant shall undertake road pavement deflection testing of the truck routes as defined by Condition E34(a). If the deflection tests show an increase in deflection as a result of the truck routes associated with construction, the Applicant shall undertake pavement rehabilitation of the affected road pavements to achieve the pavement deflection that existing prior to the commencement of works.	Interview with auditees 8-9/05/24	The entire road will be realigned and dedicated to RMS under SSD 7628. This will never be triggered under SSD 6766.	Not Triggered
G2	Within 3 months of commencement of operation, unless otherwise agreed by the Secretary, the Applicant shall carry out rectification work to the extent of the damage resulting from the construction works at the Applicant's expense and to the reasonable requirements of the owners.	Interview with auditees 8-9/05/24	The entire road will be realigned and dedicated to RMS under SSD 7628. This will never be triggered under SSD 6766.	Not Triggered
Registration of easements				
G3	Within 3 months of commencement of operation, the Applicant shall provide to the Certifying Authority evidence that all easements required by this approval, and other licences, approvals and consents, have been lodged for registration or registered at the NSW Land and Property Information.	<p>Memo, Tactical to DPIE, 030319</p> <p>Interim Occupation Certificate, 19/124050-7, McKenzie Group, 16/07/19)</p> <p>Interface Deed – Moorebank Logistics Precinct, between Qube RE Services (Terminal Assets Co & Terminal Operations Co) and the Trust Company (Warehouse Development Co), 3/12/2021</p>	<p>88B instruments were obtained for the MIDIT Rail Easement and the GWS rail easement. These were submitted to the Department on 03/03/19. The OC verifies acceptance by the Certifier. Operations commenced on 17/05/20.</p> <p>No easements exist or are required under the MPE Stg 1 footprint. Easements will be required under MPE Stg 2 footprint (separate to this approval). This will not be triggered under MPE Stg 1.</p> <p>Note: The evidence provided indicates this condition is being satisfied via the building certification process. WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition.</p>	Compliant
Signage				
G4	Signage shall be installed in accordance with Drawing A3001 Issue C (Terminal - Signage Details) dated 14/04/2015, unless otherwise agreed by the Secretary.	<p>Urban Design and Landscape Plan Moorebank Precinct East Stage 1, SIMTA, 19/12/18</p> <p>Design Certification Statement, CPB Contractors, 02/05/19</p> <p>RALP Fencing, Gate & Signage as Built Plans, 14/10/19.</p> <p>IMEX Road Signage, Linemarking & Furniture, Work as executed Plans, 23/10/20</p> <p>Drawings:</p> <ul style="list-style-type: none"> - Intermodal Terminal Facility (Stage 1), Terminal - Signage Details No. A3001, 23/03/2015 Issue C - Wayfinding Signage – Site Location Plan, No. 5697.SL1, 22/08/2018 Issue B - Concept Design – Signage Locations, No. PREC-RCG-AR-DWG-ASK-106, 10/10/2018, Issue A 	<p>On 02/05/19 the Principal Construction Contractor for RALP provided a statement that the signage had been installed as per the approved design. As built drawings were also prepared.</p> <p>Signage was installed as shown in Drawing A3001 Issue C (Terminal - Signage Details) dated 23/3/2015.</p> <p>Sighted, drawings for wayfinding signage and the most recent sign location plan dated 22/08/2018.</p>	Compliant
Dangerous goods				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
G5	The quantities of Dangerous Goods present at any time on the site or transported from and to the terminal site shall be kept below the screening threshold quantities listed in the Hazardous and Offensive Development Guidelines Applying SEPP 33, (DPIE 2011). The screening threshold quantities for each Dangerous Goods shall be defined in accordance with Table 1: Screening Methods of Applying SEPP 33.	Interview and site inspection with auditees 8-9/05/24 Email from Qube Logistics dated 8/5/24 Terminal Operating System N4 DG Report from Riskcon Engineering, 27/4/22 Rev.1 Preliminary Hazard Analysis from Riskcon Engineering, 11/10/2022, WOEMP for WH7 DG Report May 2021-April 2024	Dangerous Goods through the Terminal are tracked via the Terminal Operating System N4. A report was run for the three-year period May 2021-April 2024 and confirmed that no DG container has passed through the IMEX during this period. Email was sighted from Qube Logistics dated 8/5/24. Within the terminal gas used for forklifts. 1 x 10kL bulk diesel tank is on site. this is held within a self-bunded purpose-built container. It is understood that only one tenant store dangerous goods, which is located in WH7; DG reports were sighted from Riskcon Engineering, 27/4/22 Rev.1. No Dangerous Goods have been transported during this reporting period for IMEX, Warehouses 1, 3, 4, 5 & 6.	Compliant
Operational noise, air quality, monitoring and reporting				
G6	Port shuttle operations must use: a) Locomotives that incorporate available best practice noise and emission technologies. Prior to the construction of the rail link connecting to the site, the Applicant must submit a report to the Secretary for consideration and approval that has been prepared in consultation with TfNSW and the EPA that justifies the technology proposed and how it meets the objective of best practice noise and emission technologies; and b) Wagons that incorporate available best practice noise technologies such as “onepiece” freight bogies or three-piece freight bogies fitted with cross-bracing or steering arms; and, permanently coupled 'multi-pack' steering wagons using Electronically Controlled Pneumatic (ECP) braking with a wire based distributed power system (or better practice technology). Prior to the commencement of operation, the Applicant must submit a report to the Secretary for consideration and approval that has been prepared in consultation with TfNSW and the EPA that justifies the technology proposed and how it meets the objective of best practice noise technologies.	Operational Air Quality Management Plan Rev 12, SIMTA, 23/01/23 (OAQMP) Post Approval Submission (DPHI portal) undated: submission of OAQMP to DPHI Letter DPHI to LOGOS, 7/9/23 (approval of OMPs) Best Practice Wagon Report (Condition G6B), Renzo Tonin, 05/11/19 (Rev.10). Letter DPIE to Qube, 16/08/19 (approval of F5A, G6(b), G7A, and G7 reports) Email DPIE to Qube, 31/10/19 Container Noise Barrier Management Plan, SIMTA, 19/03/20 (The CNBMP), 28/03/2023 Rev.07 updated 22/11/2023 Rev.8 Best Practice Progress review 2022, 28/7/2022 (report no.2), Rev.3 from Arcadis Best Practice Progress review 2023, 26/7/23023 (report no.3), Rev.2 from Arcadis	G6a relates to prior to construction. The Best Practice Wagon Report was prepared by Renzo Tonin on 05/11/19 to address require (b) of this condition. Best Practice Progress review 2022 - 28/7/2022 (report no.2), and 2023 - 26/7/23023 (report no.3) from Arcadis On 16/08/19 the Department approved the CNBMP (CoC F5A, the Best Practice Wagon Report (G6b), Rail Noise Angle of Attack Report (G7 G7A). With action required to address G6B. on 31/10/19 the Department confirmed that the action had been addressed. CNBMP 28/03/2023 Rev.7 to include change in ownership, department changes and warehouse layout changes. This was submitted to the DPHI as part of the ONVMP and approved by DPHI on the 7/9/2023. CNBMP was updated again on the 22/11/23 Rev.8 to address IMEX terminal TEU increase capacity. This condition is also addressed within the OAQMP. On 08/04/20 the Department confirmed that it is satisfied with the OEMP (OWMP, 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.	Compliant
G7	The Applicant shall install and maintain a rail noise monitoring system on the rail link at the commencement of operation to continuously monitor the noise from rail operations on the rail link. The system shall capture the noise from each individual train passby noise generation event, and include information to identify: a) Time and date of freight train passbys; b) Imagery or video to enable identification of the rolling stock during day and night; c) LAeq(15hour) and LAeq(9hour) from rail operations; and	Angle of Attack and Rail Noise Monitoring System - G7, G7A, Renzo Tonin, (Revision 06 16/07/19) Functional and Performance Specification for Permanent Noise Monitor and Proposed Noise and AOA Monitoring Locations, Renzo Tonin, 16/10/19 (RNMS report), Rev.9	The Angle of Attack and Rail Noise Monitoring System Report was prepared by Renzo Tonin to set out a functional and performance specification for a rail noise monitoring system to be installed on the Moorebank Intermodal Terminal (MIMT) rail link and to recommend suitable locations to undertake noise and Angle of Attack (AoA) monitoring. On 16/08/19 the Department provided written confirmation that it had approved the CNBMP (CoC F5A, the Best	Compliant

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	<p>d) LAF(max) and SEL of individual train passbys, measured in accordance with ISO3095; or</p> <p>e) Other alternative information as agreed with the Secretary.</p> <p>The results from the noise monitoring system shall be publicly accessible from a website maintained by the Applicant. The noise results from each train shall be available on the website ideally within 24 hours of it passing the monitor. The LAeq(15hour) and LAeq(9hr) results from each day shall be available on the website within 24 hours of the period ending.</p> <p>Prior to the commencement of operation, the applicant shall submit for the approval of the Secretary, justification supporting the appropriateness of the location for rail noise monitoring including details of any alternative options considered and reasons for these being dismissed. The rail noise monitoring system shall not operate until the Secretary has approved the proposed monitoring location.</p> <p>The Applicant shall provide an annual report to the Secretary with the results of monitoring for a period of 5 years, or as otherwise agreed with the Secretary, from the commencement of operation of the IMEX No 1 terminal. The Secretary shall consider the need for further reporting following a review of the results for year 5.</p>	<p>Letter DPIE to Qube, 16/08/19 (approval of F5A, G6(b), G7A, and G7 reports)</p> <p>Email DPIE to Qube, 31/10/19</p> <p>DPIE post approval lodgement record 12/05/21 (Rail Link Noise Monitoring Report submission)</p> <p>Six Monthly Review of AoA – November 2023 from Renzo Tonin, Rev.1</p> <p>Moorebank Intermodal Terminal - Six Monthly Review of AoA:</p> <ul style="list-style-type: none"> - November 2021 (rail movements between 15 May 2021 and 25 October 2021) - May 2022 (rail movements between 26 October 2021 and 28 April 2022) - May 2023 (rail movements between 1 December 2022 and 30 April 2023) <p>Annual Noise Review Reports (ANRR) from Renzo Tonin for:</p> <ul style="list-style-type: none"> - From Feb 2020 to Mar 2021 (Y1 Ops), 21/6/2021, Issue 2 - From Apr 2021 to Apr 2022 (Y2 Ops), 23/05/2022, Issue 2 - From Apr 2022 to Apr 2023 (Y3 Ops), 6/07/2023, Issue 2 <p>Post Approval Form, 29/5/2022 re. Annual Noise Report (Y2 Ops - 23/5/2022)</p> <p>Six-Monthly Compliance Reports from Renzo Tonin include the ANRR, sighted for:</p> <ul style="list-style-type: none"> - Compliance Report 3: May 21 – Nov 21: Post Approval Form_2021122232311 - Compliance Report 4: Nov 21 - May 22: Post Approval Form_20220728030406 - Compliance Report 5: May 22 – Nov 22: Post Approval Form_20230227040713 - Compliance Report 6: Nov 22 – May 23: Post Approval Form_20230908050905 - Compliance Report 7: May 23 – Nov 23: PAR_07052024_111552 <p>Container Noise Barrier Management Plan, SIMTA, 19/03/20 (The CNBMP), 28/03/2023 Rev.07 updated 22/11/2023 Rev.8</p>	<p>Practice Wagon Report (G6b), Rail Noise Angle of Attack Report (G7 G7A). With action required to address G7/G7A. on 31/10/19 the Department confirmed that the action had been addressed.</p> <p>Six Monthly Review of AoA – November 2023 from Renzo Tonin, Rev.1</p> <p>CNBMP was updated 28/03/2023 Rev.7 to include change in ownership, department changes and warehouse layout changes. This was submitted to the DPHI as part of the ONVMP and approved by DPHI on the 7/9/2023.</p> <p>CNBMP was updated again on the 22/11/23 Rev.8 to address IMEX terminal TEU increase capacity.</p> <p>Operations commenced on 17/05/20. The new rail link was commissioned in November 2019. Monitoring was conducted during 13/08/20 – 04/09/20. The Renzo Report was submitted to the Department, and it confirms that the monitoring was conducted in accordance with this condition. It confirmed that the noise increase was well below the criteria specified in this condition and stated that a noise barrier was not deemed to be required.</p> <p>The Annual Noise Review Reports for 2021, 2022 and 2023 summarises all monitoring undertaken for the year (including, Warehouse noise monitoring, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring and Rail link angle of attack (AoA) monitoring.</p> <p>During Year 1 Operations (2021), the report included INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements and Rail link noise monitoring at residential receivers. During Year 1 and 2 of operations, the report concluded that no exceedances of the planning approval noise limits were measured during Year 1 and 2 of operations.</p> <p>During Year 3 Operation, the report indicated that noise monitoring was undertaken in response to complaints received from residents in Wattle Grove between June and September 2022. In response to these complaints, additional noise mitigation and management measures were implemented, and a noise management program was in progress to review their effectiveness.</p> <p>Noise monitoring reviews are an Appendix to the 6-monthly Compliance Reports (Appendix D), they are published on the website. Sighted submission of compliance reports for No.3 (May 21-Nov 21), No.4 (Nov 21 – May 22), No.5 (May 22 – Nov 22), No. 6 (Nov 22 – May 23) and No. 7 (May 23 to Nov 23) and the associated Post Approval Form.</p>	

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
G7A	<p>The applicant shall install and maintain a wayside angle of attack monitoring system on the rail link at the commencement of operation to continuously monitor the angle of attack to the rail of rolling stock wheels.</p> <p>The system shall capture the angle of attack from a wheel on each axle of every train, and include information to identify:</p> <ul style="list-style-type: none"> a) Time and date of each axle passby; and b) The identification number of each item of rolling stock. <p>The results from the angle of attack monitoring system shall be:</p> <ul style="list-style-type: none"> • accessible by train operators from a website maintained by the Applicant. Angle of attack results from each train shall be available on the website within 24 hours of it passing the monitor, unless unforeseen circumstances have occurred. • included in a six-monthly report to the Secretary. The report should at least identify the number of wagons with wheels that exceed the ASA standard angle of attack and the action taken by operators to improve steering performance. <p>Prior to the commencement of operation, the Applicant shall submit for the approval of the Secretary, justification supporting the appropriateness of the location for angle of attack monitoring, the format of the information to be accessible to operators and the format of the public report. The angle of attack monitoring system shall not operate until the Secretary has approved the proposed monitoring location and reporting arrangements</p>	<p>Angle of Attack and Rail Noise Monitoring System - G7, G7A (Revision 06 16/07/19)</p> <p>Letter DPIE to Qube, 16/08/19 (approval of F5A, G6(b), G7A, and G7 reports)</p> <p>Email DPIE to Qube, 31/10/19</p> <p>https://moorebanknoisemonitor-emsbk.trackiq.net/NoiseMonitor/ current to May 2024</p> <p>DPIE post approval lodgement record 12/05/21 (Rail Link Noise Monitoring Report submission)</p> <p>Moorebank Intermodal Terminal - Six Monthly Review of AoA:</p> <ul style="list-style-type: none"> - November 2021 (rail movements between 15 May 2021 and 25 October 2021) - May 2022 (rail movements between 26 October 2021 and 28 April 2022) - May 2023 (rail movements between 1 December 2022 and 30 April 2023) <p>Annual Noise Review Reports from Renzo Tonin for:</p> <ul style="list-style-type: none"> - From Feb 2020 to Mar 2021 (Y1 Ops), 21/6/2021, Issue 2 - From Apr 2021 to Apr 2022 (Y2 Ops), 23/05/2022, Issue 2 - From Apr 2022 to Apr 2023 (Y3 Ops), 6/07/2023, Issue 2 <p>Post Approval Form, 29/5/2022 re. Annual Noise Report (Y2 Ops - 23/5/2022)</p> <p>Container Noise Barrier Management Plan, SIMTA, 19/03/20 (The CNBMP), 28/03/2023 Rev.07 updated 22/11/2023 Rev.8</p>	<p>The Angle of Attack and Rail Noise Monitoring System Report was prepared by Renzo Tonin to set out a functional and performance specification for a rail noise monitoring system to be installed on the Moorebank Intermodal Terminal (MIMT) rail link and to recommend suitable locations to undertake noise and Angle of Attack (AoA) monitoring.</p> <p>An AoA measurement system was installed on the rail link and partially commissioned on 13/5/2020. The system was fully commissioned on 9/7/2020 at the same time as the permanent noise monitoring system. The AoA system is installed on the eastern track. Operations commenced on 17/05/20.</p> <p>Monitoring Renzo Report It confirmed that the noise increase was below the criteria specified in this condition and stated that a noise barrier was not deemed to be required.</p> <p>Monitoring is ongoing with results available online. Monitoring captures time and date, track No., direction, No. of vehicles and locomotives, train ID, train duration, LMax and weighted sound level exposure.</p> <p>CNBMP was updated 28/03/2023 Rev.7 to include change in ownership, department changes and warehouse layout changes. This was submitted to the DPHI as part of the ONVMP and approved by DPHI on the 7/9/2023. CNBMP was updated again on the 22/11/23 Rev.8 to address IMEX terminal TEU increase capacity.</p> <p>The Annual Noise Review Reports for 2021, 2022 and 2023 summarises all monitoring undertaken for the year (including, Warehouse noise monitoring, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring and Rail link angle of attack (AoA) monitoring.</p> <p>The results of Y1, Y2 and Y3 Operations show that the maximum AoA value is typically less than 10 mrad. Any exceedances of the AoA alarm levels were viewed as one-off instances, occurring irregularly.</p>	Compliant
Rail noise link monitoring and mitigation				
G7B	<p>The Applicant shall:</p> <ul style="list-style-type: none"> a) not less than three months and not more than twelve months from <p>• commencement of operation engage an appropriately qualified and experienced acoustic engineer to undertake a night-time noise survey at Glenfield Farm (or an equivalent location if access is denied).</p> <ul style="list-style-type: none"> b) the noise survey shall be conducted in accordance with the EPA's Rail Infrastructure Noise Guideline 2013 to determine: <p>(i) the contribution of any new rail traffic travelling to and from the development; and,</p>	<p>Operational Noise and Vibration Management Plan Rev 13, SIMTA, 24/01/23 (ONVMP)</p> <p>Post Approval Submission (DPHI portal) undated re: submission of ONVMP to DPHI</p> <p>Rail operations noise monitoring report from Renzo Tonin for rail movements during:</p> <ul style="list-style-type: none"> - Year 1 - between 1 November 2019 and 8 April 2021 	<p>This condition is addressed within the approved ONVMP, approved on 09/09/19. Operational Noise and Vibration Management Plan was updated to Rev 13, SIMTA, 24/01/23 (ONVMP).</p> <p>Observation: The ONVMP was last updated on the 24/01/23 (revision 13). However, the document has a different date in the revision history revision table.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>(ii) the increase in the total rail traffic noise level caused by any new rail traffic to and from the development.</p> <p>c) the noise survey shall be conducted for not less than 12 contiguous days in the winter months (July, August or September).</p> <p>d) if as a result of the noise survey there is a sustained increase in the total rail traffic noise level due to the noise level from rail traffic travelling to and from the development of more than 2dB(A) for more than 30% of nights surveyed, the Applicant shall:</p> <p>•within twelve months, construct a noise barrier along the relevant sections of rail link in accordance with the specifications provided by an appropriately qualified and experienced acoustic engineer so as to limit the increase in the total rail traffic noise level at Glenfield Farm caused by any new rail traffic to and from the development to not exceed 2dB(A).</p> <p>e) the report of the noise survey including the results and recommendations shall be provided to the Secretary</p>	<ul style="list-style-type: none"> - Year 2 - between 9 April 2021 and 9 May 2022 - Year 3 - between 10 May 2022 and 9 May 2023 <p>DPIE post approval lodgement record 12/05/2021 (Rail Link Noise Monitoring Report submission - Y1)</p> <p>Annual Noise Review Reports from Renzo Tonin for:</p> <ul style="list-style-type: none"> - From Feb 2020 to Mar 2021 (Y1 Ops), 21/6/2021, Issue 2 - From Apr 2021 to Apr 2022 (Y2 Ops), 23/05/2022, Issue 2 - From Apr 2022 to Apr 2023 (Y3 Ops), 6/07/2023, Issue 2 	<p>Operations commenced on 17/05/20. Noise monitoring for rail movements has been conducted during:</p> <ul style="list-style-type: none"> - between 1 November 2019 and 8 April 2021 (Y1) - between 9 April 2021 and 9 May 2022 (Y2) - between 10 May 2022 and 9 May 2023 (Y3) <p>The Renzo Reports indicated that rail noise monitoring system (RNMS) was positioned at a location near one of the small radius curves and where freight trains are likely to be braking. During the operations on Year 2 and Year 3 the results indicated that there does not appear to be any obvious trend in the measured LAFmax noise levels during the monitoring period. Maximum noise levels are consistent with the Year 1 noise monitoring results.</p>	
G8	<p>The following measures must be implemented during operation:</p> <p>a) The use of top of rail friction modifiers and automatic rail lubrication equipment in accordance with ASA Standard T HR TR 00111 ST Rail Lubrication, where required; and</p> <p>b) Measures to ensure the rail cross sectional profile is maintained in accordance with ETN-01-02 Rail Grinding Manual for Plain Track to ensure the correct wheel / rail contact position and hence to encourage proper rolling stock steering.</p>	<p>Interview with auditees 8-9/05/24</p> <p>K48 Monthly Track Patrol, Laing O'Rourke</p> <p>Site inspection 8/05/24</p> <p>Email Qube logistics 9/5/2024 confirmation on inspection of lubricators</p> <p>Daily Site Inspection Report (DSR), Taylor Rail, 10/8/2023 for refilling greasespots</p> <p>Rail grinding April 2023</p> <p>Defects report April and May 2023, JMDR</p> <p>Guidelines for Tracks Lubrication (ARTC), March 2006 Rev.0 Issue A</p> <p>Inspection Certification, Taylor Rail for:</p> <ul style="list-style-type: none"> - May 2023 (6/4/23) - June 2023 (15/5/23) - February 2024 (22/1/24) - March 2024 (22/2/24) - April 2024 (18/3/24) - May 2024 (30/4/24) 	<p>Rail lubricators were installed by CPB at the end of RALP. They are maintained by Laing O'Rourke (LOR) on behalf of Qube and they undertake monthly inspections.</p> <p>Two rail friction modifier systems were installed on the rail link on 22/11/2019 per ASA Standard. These are positioned on the MIMT North Track at Chainage 39.840 km and the MIMT South Track at Chainage 39.580 km. Monthly track inspections and maintenance is undertaken by Qube's maintenance contractor, Taylor Rail, to ensure alignment with maintenance standards. Rail grinding has been performed so that the rail profile is consistent with maintenance standards.</p> <p>Sighted confirmation email from Qube Rail indicating that Taylor Rail in its monthly rail inspection inspects the lubricators and tops up when required, visual inspections of tracks are done regularly. Email dated 9/5/2024. Presented DSR refilling greasespots 10/8/2023 as well as monthly inspection certification for Taylor Rail for May and June 2023 and Feb-May 2024. If some maintenance grinding of plain track is required Taylor Rail would notify Qube. If its standard Rail there is no rail profile grinding, only maintenance or defect grinding.</p> <p>Regarding the previous audit finding, buckling of the rail line, it was indicated that the most recent track maintenance reports provided confirmation that there is no present rail buckling and this issue was addressed as part of defect rectification works as envisaged at that time. Sighted Defects report for April and May 2023 from JMDR. Qube's rail maintenance repair executed.</p>	Compliant
G9	<p>The transfer of containers between Port Botany and the IMEX No 1 terminal must not commence until the rail connection to the SSFL is operational.</p>	<p>Interview with auditees 8-9/05/24</p> <p>Independent Environmental Compliance Audit, SIMTA Moorebank Precinct East (MPE) Stage 1 –</p>	<p>Operations commenced on 17/05/20 and the connection has been operational since that time.</p> <p>Refer to WolfPeak's finding in relation to commissioning movements prior to operations in the Independent</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Import Export Terminal (IMEX No 1), WolfPeak, 17/01/20	Environmental Compliance Audit Report for MPE Stage 1, dated 17/01/20. Rail Connection to the SSFL is now operational. Train operations started after May 2020.	
G10	Containers must be transferred between the site and Port Botany predominantly by rail, unless where unforeseen circumstances have occurred (e.g. an incident, breakdown, derailment or emergency maintenance on the rail line). The Secretary may at any time request the Applicant to demonstrate that the transport of containers between the site and Port Botany container terminals is by rail. This is to be demonstrated upon request by the Secretary for the prior 12 month period.	<p>Interview with auditees 8-9/05/24</p> <p>Biannual Trip Origin Destination Report (MPE1 and MPE2), Ason Group for:</p> <ul style="list-style-type: none"> - Nov 2020, 15/02/21 - May 2021, 08/06/2021 - Nov 2021, 16/12/2021 - May 2022, 11/10/2022 - Nov 2022, 19/01/2023 - May 2023, 09/08/2023 - Nov 2023, 26/02/2024 <p>IMEX KPI FY 2024</p> <p>Letter from Ason group to LOGOS 7/2/23 re. further changes to the BTODR survey data collection methodology for MPE</p> <p>Turning Movement Survey from Trains Traffic Survey, 18/3/24</p>	<p>The Biannual Trip Origin Destination Report outlines the number of containers being received and dispatched in a month in comparison to the number of trucks coming in out of the site. All import volumes via rail come from Port Botany as it's the only port on the Moorebank line. All volumes are distributed to the various Warehouses for offsite distribution by truck. Sighted BTODRs and the Moorebank IMEX KPI For the Financial Year 2024, the graphs presented showed Qube Train Arrivals, External Train Arrivals, Total TEU. A turning movement survey from Trains Traffic Survey, dated 18/3/24 was also presented, however the auditor does not have the technical expertise to analyse this data.</p> <p>Note: The sighted BTODRs do not report on the total TEU mode share entering and exiting the facility.</p>	Compliant
G11	<p>The Applicant shall prepare a six-monthly report to the Secretary with the results of container and vehicle monitoring for a period of 3 years, or as otherwise agreed with the Secretary, from the commencement of operation of the IMEX No 1 terminal. The Secretary shall consider the need for further reporting following a review of the results for year 3. The report shall include:</p> <ul style="list-style-type: none"> a) The number of twenty foot equivalent units dispatched and received during the period; b) A record of heavy vehicle entry by date and approximate time; and c) The number of light vehicles turning right into the terminal site from Moorebank Avenue and turning left from the terminal site onto Moorebank Avenue for a representative day. 	<p>Biannual Trip Origin Destination Report (MPE1 and MPE2), Ason Group for:</p> <ul style="list-style-type: none"> - Nov 2020, 15/02/21 - May 2021, 08/06/2021 - Nov 2021, 16/12/2021 - May 2022, 11/10/2022 - Nov 2022, 19/01/2023 - May 2023, 09/08/2023 - Nov 2023, 26/02/2024 <p>DPHI post approval portal lodgement 24/02/21 for Nov 2020 report</p> <p>DPHI post approval portal lodgement for the BTODR for Nov 2023, 29/2/2024</p> <p>DPHI post approval portal lodgement for the BTODR for May 2023, 9/8/2023</p>	<p>The Biannual Trip Origin Destination Reports have been prepared to address this condition.</p> <p>Item a) is addressed section 2, table 2.</p> <p>Item b) is in section 4, table 5 (only dates, no times)</p> <p>Item c) is in section 5. No vehicles were observed turning right into the terminal site from Moorebank Avenue and turning left from the terminal site onto Moorebank Avenue.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
G12	All containers handling equipment, purchased after 2019 must meet US EPA Tier 4 or EU Stage IV emission standard or achieve an equivalent emission control performance to those standards listed in this condition.	Operational Air Quality Management Plan, SIMTA, 23/01/23 (OAQMP), Rev. 12 Interview with auditees 8-9/05/24 Kalmar FastCharge Straddle Carrier Email Qube Project Manager 9/5/24	This condition is addressed within the OAQMP. Qube indicated that the straddle carriers comply with the standard and emission level (applicable to FSC3505A and HSC350). Presented email from Qube's Project Manager, IMEX with technical specs, 9/5/24.	Compliant
G13	The Applicant must carry out any activity, or operate any plant, in or on the premises by such practicable means as may be necessary to prevent or minimise air pollution.	Operational Air Quality Management Plan Rev 12, SIMTA, 23/01/23 (OAQMP) Interview with auditees 8-9/05/24 Monthly Air Quality Monitoring Reports from Arcadis for 2021, 2022 and 2023 Monthly Air Quality Monitoring report - March 2024, 14/5/24, Arcadis Dust Monitoring Summary Reports from SERS for 2021, 2022 and 2023. MPE Operational Air Quality Six Monthly Compliance Report from Arcadis for: <ul style="list-style-type: none"> - Nov 2020 to Apr 2021, No.2, 4/6/2021 - May to Oct 2021, No.3, 16/12/2021 - Nov 2021 to Apr 2022, No.4, 6/6/2022 - May to Oct 2022, No.5, 11/1/2023 - Nov 2022 to Apr 2023, No.6, 11/7/2023 - May to Oct 2023, No.7, 13/12/2023 Remote Console Operation Manual from Kalmar, 9/4/2021, Rev.0. Sighted Calibration Certificates from Airpol for COV0100008267, COV0100008268 on the 27/01/21 and CNB0100008403, CNB0100008404 and CNB0100008405 on the 25/02/21.	The Cranes, Straddle Carriers and Container Lifts are operational and managed by Qube/Kalmar. Qube implements a maintenance program to ensure plant operates correctly, during the last audit the Operations Manual from Kalmar was presented. Remote Console Operation Manual from Kalmar, 9/4/2021. Terminals are operating electric cranes for rail operations. There is no more reach stacker loading and unloading of trains instead straddle carriers managed by Qube comply with the standard and IMEX with technical specs. The auditee indicated that there has been no exceedances of significance that triggered an investigation. All six-monthly compliance reports are publicly available on the website and Tenants are aware of their obligations under their lease and implementation of the OEMP and Sub Plans. A monthly internal air monitoring report is prepared by Arcadis. The reports review and analyse data, compare it to thresholds, identify exceedances (if any) and make recommendations. This is then compiled into a 6 monthly report. Sighted reports for 2021, 2022 and 2023. Monthly Air Quality Monitoring Reports identifying exceedances of the PM ₁₀ criteria, have been investigated. Sighted example for March 2024 report dated 14/5/24 from Arcadis indicating that the one PM ₁₀ 24-hour exceedance (50mg/m ³) was identified at AQM03 due to OOHV along Moorebank Avenue. The six-monthly Compliance reports will note any exceedances. For example, compliance report No.7 indicated that a review of the data for the reporting period identified no exceedances of the 24-hour average criteria (25 mg/m ³) for PM _{2.5} . It was noted that no data was recorded at AQM03 from 29/5/23 to 19/9/23. In that same period two exceedances of the PM ₁₀ 24-hour average occurred at AQM02 which is located on the east of MPE possible due to roadworks along Moorebank Ave. With regards to compliance report no.7, the DPHI indicated to the Applicant to ensure measures are put in place as exceedances were low.	Compliant
G14	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) shall be installed to identify heavy vehicles turning left from the terminal	Biannual Trip Origin Destination Report (MPE1 and MPE2), Ason Group for:	The Biannual Trip Origin Destination Report indicates vehicles movements; it appears that no vehicles were observed turning right into the terminal site from Moorebank	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	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.	<ul style="list-style-type: none"> Nov 2020, 15/02/21 May 2021, 08/06/2021 Nov 2021, 16/12/2021 May 2022, 11/10/2022 Nov 2022, 19/01/2023 May 2023, 09/08/2023 Nov 2023, 26/02/2024 <p>Interview with auditees 8-9/05/24</p> <p>Complaints Register current to 31 May 2024</p> <p>Operational Traffic and Access Management Plan (OTAMP), Rev.12 23/01/2023</p>	<p>Avenue and turning left from the terminal site onto Moorebank Avenue; however, the auditor has not technical expertise to fully understand all the data presented in this report. The gate keepers on Moorebank Avenue police truck movements until such time as access to the CCTV servers are completed.</p> <p>The auditee indicates that there has been no complaints regarding this requirement.</p> <p>The DPHI has not requested this yet.</p>	
G15	<p>Within 12 months of the commencement of operation of the project, or as otherwise agreed by the Secretary, the Applicant shall undertake operational noise monitoring to compare actual noise performance of the project against noise performance predicted in the review of noise mitigation measures predicted in documents specified under condition A1 of this approval, and prepare an Operational Noise Report to document this monitoring. The Report shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i) noise monitoring to assess compliance with the operational noise levels predicted in documents specified under condition A1 of this approval; j) a review of the operational noise levels in terms of criteria and noise goals established in the NSW Road Noise Policy (EPA, 2011); k) sleep disturbance impacts compared to those determined in Condition E25; l) 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; m) 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; n) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and proportions; o) 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; and p) identification of additional feasible and reasonable measures to those predicted in the documents specified under condition A1 of this approval, that would be implemented with the objective of meeting the criteria outlined in the NSW Road Noise Policy (EPA, 2011), when these measures would be implemented and how their effectiveness would be measured and reported to the Secretary and the EPA. The Applicant shall 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. 	<p>Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP) Rev.12 (no changes)</p> <p>Operational Noise Monitoring Reports from Renzo Tonin for Q1 2021, 8/6/2021</p> <p>Letter from DPHI to Qube, 14/09/2021 re. acceptance of Operational Noise Report</p> <p>Annual Noise Review Reports (ANRR) from Renzo Tonin for:</p> <ul style="list-style-type: none"> From Feb 2020 to Mar 2021 (Y1 Ops), 21/6/2021, Issue 2 From Apr 2021 to Apr 2022 (Y2 Ops), 23/05/2022, Issue 2 From Apr 2022 to Apr 2023 (Y3 Ops), 6/07/2023, Issue 2 <p>Submission of Y1 ANRR to DPHI, 23/6/2021 (via planning portal)</p> <p>Letter from DPHI to Qube 15/09/2021 re. Annual Noise Report for 2021 - late submission.</p> <p>Email Tactical to EPA, 24/6/2021 re. submission of Annual Noise Review for April 2021</p> <p>Post Approval Form re. submission to DPHI of ANRR for Year 2 - 2022 report, 27/02/2023</p>	<p>This condition is addressed within the approved ONVMP, approved on 09/09/19. ONVMP was updated 2/3/2020.</p> <p>The Annual Noise Review Reports for 2021, 2022 and 2023 summarises all monitoring undertaken for the year (including, Warehouse noise monitoring, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring and Rail link angle of attack (AoA) monitoring.</p> <p>During Year 1 Operations (2021), the report included INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements and Rail link noise monitoring at residential receivers. During Year 1 and 2 of operations, the report concluded that no exceedances of the planning approval noise limits were measured during Year 1 and 2 of operations. Y1 Report was submitted to the DPHI on the 15/9/21 which is 3 months after its completion and Y2 Report was submitted to the DPHI on the 27/02/2023 which is 9 months after its completion.</p> <p>During Year 3 Operation, the report indicated that noise monitoring was undertaken in response to complaints received from residents in Wattle Grove between June and September 2022. In response to these complaints, additional noise mitigation and management measures were implemented, and a noise management program was in progress to review their effectiveness. No evidence was provided for Y3 Report submission to the DPHI.</p> <p>Non-compliance: According to the dates for the Annual Noise Review Reports for Year 2 - 2022 and Year 3 - 2023, reports have not been submitted to the DPHI and the EPA within 60 days of completion of the monitoring (as required by CoC G15(h)).</p> <p>Additionally, Operational Noise Report for:</p>	Not Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			<ul style="list-style-type: none"> WH1, WH3 and WH4 have been completed. WH5 - Compliance Report 5 (May 22 – Nov 22) includes ANRR. WH6 & WH7 noise assessments were only carried out in May 2024 which is outside this Audit Period. <p>WH2 has not yet been constructed so is outside this Audit.</p>	
Independent environmental audit				
G16	<p>Within 12 months of the commencement of operation, and thereafter at any other stage bi-annually if required by the Secretary, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the SSD. This audit shall:</p> <ul style="list-style-type: none"> a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; b) include consultation with the relevant agencies and local Councils; c) assess the environmental performance of the SSD and assess whether it is complying with the requirements in this approval, and any other relevant approvals (including any assessment, plan or program required under these approvals); d) review the accuracy of predicted environmental outcomes discussed in the documents listed in condition A1 e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and f) recommend measures or actions to improve the environmental performance of the SSD, and/or any strategy, plan or program required under these approvals. <p>Within 60 days of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary and relevant public authorities, together with its response to any recommendations contained in the audit report. The audit report and response to any recommendations shall be published on the Project website.</p>	<p>Moorebank Precinct East Operations Independent Audit Program, WolfPeak, 24/02/20</p> <p>Email, Tactical to WolfPeak, 12/10/2023 (commissioning of audit)</p> <p>Letter DPHI to Tactical, 22/4/2024 (approval of audit team)</p> <p>Email DPHI to Tactical 22/4/2024 re. endorsement of auditors</p> <p>Interview with auditees 8-9/05/24</p> <p>Consultation records (attached to this audit report)</p>	<p>An Audit Program was prepared in 2020 which set out the approach to the Independent Audit for the operational phase of SSD 6766 and SSD 7628.</p> <p>WolfPeak was approved by the Department as the Independent Auditors on 22/04/2024.</p> <p>It is understood that operations commenced on 17/05/20. This audit was commissioned on 12/10/2023.</p> <p>Consultation was undertaken with the Department, the EPA and Liverpool Council.</p> <p>Submission of this Audit Report occurs following completion of the audit.</p>	Compliant



APPENDIX B – SSD 7628 CONDITIONS OF CONSENT

Note: Audit will only assess compliance with conditions relevant to operation. All other conditions have been assessed through separate audit programs and audits.

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
PART A - 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.	Operational Environmental Management Plan Moorebank Logistics Park – East Precinct Rev.18, 13/01/23, SIMTA (the OEMP). Warehouse Operational Environmental Management Plans (various) (WOEMP) as identified in Condition C6 Evidence referred to elsewhere in this Audit Table and the Audit Table for SSD 6766 Site inspection 8/05/24	The Applicant has demonstrated that reasonable and feasible measures are being implemented to prevent or minimise material harm to the environment. Warehouses 3,4,5,6 and 7 have been completed, surface is sealed, waste management is in place. There have been no notifiable incidents identified by the project since the commencement of operations.	Compliant
Terms of consent				
A2	The development may be carried out: 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.	Interview with auditees 9/5/2024 Evidence referred to elsewhere in this Audit Table. MPE Stage 2 Warehousing, State Significant Development (SSD) 7628, granted 31/1/2018 MPE - Stage 2 Proposal Environmental Impact Statement, Arcadis, December 2016 (the EIS) MPE - Stage 2 Proposal Response to Submissions – SSD 16_7628, Arcadis, July 2017, and associated materials (the RtS) Modification 1, granted 14/3/2022 Modification 2, granted 31/01/2020 Modification 3, granted 18/12/2020 Modification 4, granted 19/01/2021 Modification 5, granted 4/9/2023 Modification 6, granted 22/2/2024 - Dangerous Goods Submission of MOD-6 (Aspect)	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 non-compliance with this condition. The project is being operated in general accordance with the EIS and RtS. 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 Occupation Certificates. During the audit the following OC were presented: Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/20 The Urban Design and Landscape Plan was updated on the 13/10/2022 to reflect design changes to Area 3 and prior to the construction of permanent built surface works for future stage. Plan was initially conditionally approved by the Department on the 5/2/2021. The OEMP and each of the sub-plans required by the consent, and the WOEMPs, incorporate	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Interim Occupation Certificate No. 19/124520-5 (whole of Warehouse 1), Mckenzie Group, 21/06/19</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/2020</p> <p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/2020</p> <p>Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/2020</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>Urban Design and Landscape Plan, 13/10/2022</p>	the management and mitigation measures to which they relate.	

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, Rev 18, 13/01/23, SIMTA (the OEMP)</p> <p>Post Approval Submission (DPHI portal) undated re: submission of OEMP Rev 18</p> <p>Warehouse Operational Environmental Management Plans (various) (WOEMP) as identified in Condition C6.</p> <p>Letter from DPHI to Tactical, 7/9/2023 re. Revised OMPs</p>		
A3	<p>The Secretary may make written directions to the Applicant:</p> <ol style="list-style-type: none"> 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; 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 in relation to the implementation of any actions or measures contained in any of the documents listed in condition A2. 	<p>Letter from DPHI to Tactical, 7/9/2023 re. Revised OMPs</p> <p>Letter DPIE to Qube, 22/03/21 (approval of Warehouse 3B WOEMP)</p> <p>Letter DPIE to Qube, 21/10/20 (approval of Warehouse 4B WOEMP)</p> <p>Letter DPIE to Qube, 12/01/21 (approval of Warehouse 5 WOEMP)</p> <p>Letter DPIE to Qube, 21/05/21 (approval of Warehouse 4A WOEMP)</p> <p>Letter DPIE to Qube, 03/06/20 (approval of Warehouse 3A WOEMP)</p> <p>Letter DPHI to Tactical, 26/09/2023 (approval of Warehouse 6 WOEMP Rev.2)</p> <p>Post Approval Form re. WH6 WOEMP, 7/8/2023</p> <p>Letter DPHI to Tactical, 28/06/23 (approval of Warehouse 7 WOEMP Rev.0)</p> <p>Post Approval Form re. WH7 WOEMP, 18/7/2023</p>	The Department has not provided comments regarding the content of WOEMP or the OEMP and subplans and regarding publishing the documents online. The relevant documents appear to have been updated in accordance with the directions and ultimately approved, and the documents are publicly available on the project website.	Compliant
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 8-9/5/2024	This audit assess compliance with the current conditions of consent. No materials conflicts identified.	Compliant
Limits of consent				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	This consent granted 31/01/18 Interview with auditees 8-9/05/24	Consent was granted in 2018. It is understood that the Project commenced operations on 17/05/20. The auditor notes that there is significant complexity around the commencement of operations due to the staging and combining of strategies plans and programs both within and between SSD 6766 and SSD 7628.	Compliant
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 600,000m3.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
A7	No works are permitted within the Defence Joint Logistics Unit site under this approval.	Site inspection 8/05/24	The boundary fencing at the North area was observed. No works were observed beyond the boundary.	Compliant
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.	Biannual Trip Origin Destination Report (MPE1 and MPE2), Ason Group for: <ul style="list-style-type: none"> - Nov 2020, 15/02/21 - May 2021, 08/06/2021 - Nov 2021, 16/12/2021 - May 2022, 11/10/2022 - Nov 2022, 19/01/2023 - May 2023, 09/08/2023 - Nov 2023, 26/02/2024 	Biannual Trip Origin Destination Report (MPE1 and MPE2) have been prepared every 6 months. Sighted reports for 2021, 2022 and 2023 showing that there has been no exceedances and total movements are well below the threshold. Also, the auditee indicated that since MPE operations commenced in May 2020 no exceedances have been recorded. All Data in the BTODR is measured against the various parameters in the OTAMP. BTODR data is measured against OTAMP Table 3-3: MLP East Precinct Parameters.	Compliant
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.	As above	As above. The threshold has not been exceeded.	Not Triggered
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.	As above	As above. The threshold has not been exceeded.	Not Triggered
A11	The maximum GFAs for the following uses apply: <ul style="list-style-type: none"> a. 300,000m2 for the warehousing and distribution facilities; and b. 8,000m2 for the freight village. 	Interview with auditees 8-9/05/24 Site inspection 8/05/24 Precinct Master Plan – Ultimate, Drawing No. 0006, Rev.AL, 25 May 2023, Watson Young.	Warehouse 1, 3, 4, 5 total GFA is below 150,000m2. WH6 is 47,015m2 and WH7 49,131m2 is which is below 300,000m2. In total so far GFA is 274,927m2.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			Freight village has not been developed yet.	
A12	The warehousing and distribution facilities must only be used for activities associated with freight using the MPE Stage 1 rail intermodal terminal.	<p>Interview with auditees 9/05/24</p> <p>Site inspection 8/05/24</p> <p>Warehouse Operational Environmental Management Plans (various) (WOEMP) as identified in Condition C6.</p> <p>Biannual Trip Origin Destination Report (MPE1 and MPE2), Ason Group for:</p> <ul style="list-style-type: none"> - Nov 2020, 15/02/21 - May 2021, 08/06/2021 - Nov 2021, 16/12/2021 - May 2022, 11/10/2022 - Nov 2022, 19/01/2023 - May 2023, 09/08/2023 - Nov 2023, 26/02/2024 	<p>Currently, each warehouse has its own WOEMP which dictates the requirements for the operations within the warehouse, tenants have complied with those requirements as well as their lease requirements / clauses and schedules. Reports for each of the tenants are generated by Qube, sighted relevant KPIs.</p> <p>Additionally, the BTODR provides details on the TEUs and movements of the trucks, these reports are prepared six-monthly and provided to the DPHI.</p> <p>CCTV system in place to monitor the containers movement and trucks deliverables.</p>	Compliant
A13	<p>Freight village tenants and occupations are restricted to those activities that provide:</p> <ol style="list-style-type: none"> ancillary support for the development, its tenants, worker population and visitors; a nexus with activities undertaken in relation to the warehouse, logistics functions of the IMT development and/or; 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>	<p>Interview with auditees 8-9/05/24</p> <p>Site inspection 8/05/24</p>	No freight village developed as yet.	Not Triggered
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>Program for Operational Phase Documentation (POPD), 22/3/2019</p> <p>Pre-Operational Compliance report, 13/7/2020 Rev.06 (Area 1 – WH1 and IMEX)</p> <p>Pre-Operational Compliance report, 25/6/2021 Rev.04 (Area 2 – WH3, WH4, and WH5)</p> <p>Pre-Operational Compliance report, 9/8/2023 Rev.03 (Area 3 – WH6 and WH7)</p>	<p>The Department approved the Program for Operational Phase Documentation (POPD) which staged the development and submission of documentation under SSD 6766 and SSD 7628.</p> <p>Pre-Operational Compliance Report (POCR) prepared for Area 1 (WH1 and IMEX), Area 2 (WH3,4,5) and Area 3 (WH6 and WH7).</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	<p>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct Rev.18, 13/01/23, SIMTA (the OEMP).</p> <p>Post Approval Submission (DPHI portal) updated re: submission of OEMP Rev 18 to DPHI</p> <p>Letter from DPHI to Tactical, 7/9/2023 re. Revised OEMPs</p> <p>Pre-Operational Compliance report, 13/7/2020 Rev.06 (Area 1 – WH1 and IMEX)</p> <p>Letter DPHI to Qube, 08/04/20 (MPE operational document approval)</p> <p>Pre-Operational Compliance report, 25/6/2021 Rev.04 (Area 2 – WH3, WH4, and WH5)</p> <p>Post Approval Form 14/04/2021 re. POCR for Area 2</p> <p>Pre-Operational Compliance report, 9/8/2023 Rev.03 (Area 3 – WH6 and WH7)</p> <p>Post Approval Form re. Submission of POCR on the 9/8/2023</p> <p>https://simta.com.au/mpe-2/</p>	<p>OEMP Rev.18 (13/01/2023) was submitted to the Department, which confirmed that it is satisfied with the OEMP and subplans on the 7/9/2023.</p> <p>Pre-Operational Compliance reports for Area 1, 2 and 3 were presented. Reports were submitted to DPHI. Sighted Post Approval form for Area 2 on the 14/4/2021 and Area 3 9/7/2023.</p>	Compliant
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>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct Rev.18, 13/01/23, SIMTA (the OEMP).</p> <p>Post Approval Submission (DPHI portal) undated re: submission of OEMP Rev 18 to DPHI</p> <p>Letter from DPHI to Tactical, 7/9/2023 re. Revised OMPs</p> <p>Pre-Operational Compliance report, 13/7/2020 Rev.06 (Area 1 – WH1 and IMEX)</p> <p>Letter DPHI to Qube, 08/04/20 (MPE operational document approval)</p> <p>Pre-Operational Compliance report, 25/6/2021 Rev.04 (Area 2 – WH3, WH4, and WH5)</p>	<p>A Program of Operational Phase Documentation (POPD) was prepared which set out the rolling approach to the development and approval of operational requirements, across SSD 7628 and SSD 6766. The POPD was approved by the Department on 21/05/19.</p> <p>Pre-Operational Compliance reports for Area 1, 2 and 3 were presented. Reports were submitted to DPHI. Sighted Post Approval form for Area 2 on the 14/4/2021 and Area 3 9/7/2023.</p> <p>OEMP Rev.18 (13/01/2023) was submitted to the Department, which confirmed that it is satisfied with the OEMP and subplans on the 7/9/2023.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Post Approval Form 14/04/2021 re. POCR for Area 2</p> <p>Pre-Operational Compliance report, 9/8/2023 Rev.03 (Area 3 – WH6 and WH7)</p> <p>Post Approval Form re. Submission of POCR on the 9/8/2023</p> <p>https://simta.com.au/mpe-2/</p>		
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.	As above	As above	Compliant
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>Pre-Operational Compliance report, 9/8/2023 Rev.03 (Area 3 – WH6 and WH7)</p> <p>Post Approval Form re. Submission of POCR on the 9/8/2023</p> <p>Letter Tactical to DPHI 31/7/2023 re. notification of commencement of Area 3</p> <p>Post Approval Form 31/7/2023 re. notification of commencement of Area 3</p>	<p>Presented letter to DPHI of notification of commencement of occupation and operations for Area 3 – WH6 and WH7.</p> <p>WH7 on the 31/7/2023. WH6 and WH7 Occupied on the 30/10/2023 and started operations on the 26/02/2024.</p> <p>To note: There is complexity around the actual date of commencement of operations for both SSD 7628 and SSD 6766 due to the approach approved through the POPD. This has implications for requirements which are triggered based on the date of commencement of operations.</p>	Compliant
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. 	Refer to evidence in relation to B26, B29, B106, B107, B110, B116, B140, C18.	<p>The evidence indicates that for the triggered conditions (B1, B13, B26, B29, B43, B82, B102, B110, B116, C18) consultation was undertaken. Records were retained and matters resolved.</p> <p>Consultation was carried out with TfNSW on the OTAMP, and it was made at the beginning of the operations, refer to previous audit report.</p>	Compliant
Statutory requirements				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
A20	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.	Evidence referred to elsewhere in this Audit Table, and the Audit Table of SSD 6766	The evidence indicates that relevant approvals have been obtained. Licenses for the project are managed during the construction phase of the project.	Compliant
Demolition				
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> .	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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 RMS TfNSW. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Architectural plans				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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>Interim Occupation Certificate No. 19/124520-5 (whole of Warehouse 1), Mckenzie Group, 21/06/19</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/2020</p> <p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/2020</p> <p>Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/2020</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>The Certifier has verified that the access requirements for the buildings satisfy the Disability Discrimination Act and BCA as relevant.</p> <p>Note: The evidence provided indicates this condition is being satisfied via the building certification process. WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<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>		
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"> <i>Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.</i> <i>Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.</i> 	<p>Interim Occupation Certificate No. 19/124520-5 (whole of Warehouse 1), Mckenzie Group, 21/06/19</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/2020</p> <p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/2020</p> <p>Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/2020</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>The Certifier has verified that buildings and structures satisfy the BCA as relevant.</p> <p>Note: The evidence provided indicates this condition is being satisfied via the building certification process. WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Occupation Certificate No. 211790/13 (The reminder 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		
Utilities and services				
A27	Before the construction of any utility works associated with the development, approvals required from service providers must be obtained.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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 and covet the whole precinct. Each tenant will have meters in place.	Compliant
Protection of public infrastructure				
A29	Before the commencement of construction, the Applicant must: <ul style="list-style-type: none"> a. 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; b. 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 c. submit a copy of the dilapidation report to the Secretary and Council. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
A30	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: <ul style="list-style-type: none"> a. repair, or pay the full costs associated with repairing any public infrastructure that is damaged by carrying out the development; and b. relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development. 	Post construction dilapidation report, road footpaths, and kerbs, Craigmar, 12/05/19. Moorebank Ave Dilapidation findings (roads structural damage), Northrop, 11/07/19. Moorebank Ave Condition F1 Letter, Qube to Tactical, 11/12/19.	The dilapidation reports were prepared for footpaths, roads and kerbs (no buildings and other utilities were in the vicinity). No public infrastructure abuts or is within the site as it is owned by Qube. No repairs required.	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			subject to separate audit programs and do not form part of this audit.	
Operation of plant and equipment				
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>Caesarstone WH3:</p> <ul style="list-style-type: none"> - Daily pre-operational inspection checklist: forklifts and attachments, 30/4/2024 - Forklift Service Schedule Work Order 5/4/2024 - Daily pre-operational inspection checklist: crane and attachments, 15/5/2024 - Service report for Hoist, 3/5/2024 - Caesarstone forklift plant checklist, K24166 and #67 - Caesarstone overhead crane checklist, CSA-EH-022a - Certificate for Base Station Model No. 4463-D, 19/3/2024 <p>Mainfreight WH7:</p> <ul style="list-style-type: none"> - Risk assessment for mobile plant 22/2/24 including forklift and reach lifts. - Forklift Maintenance history (12 months) 	<p>Records indicate that the plant and equipment on the project are being properly maintained.</p> <p>Sighted records for service reports for bridge cranes in WH3, forklift pre-operations checklist and maintenance for WH3 and WH7 and a risk assessment for mobile plant including forklift and reach lifts on WH7.</p> <p>WH7 advised the current forklifts are all new and yet to complete the bulk of the maintenance. They have some temporary machines which they have had serviced by Crown. The maintenance history was sighted.</p>	Compliant
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>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct Rev.18, 13/01/23, SIMTA (the OEMP).</p> <p>Post Approval Submission (DPHI portal) undated re: submission of OEMP Rev 18 to DPHI</p> <p>Letter from DPHI to Tactical, 7/9/2023 re. Revised OMPs</p> <p>https://simta.com.au/mpe-2/</p> <p>Pre-Operational Compliance report, 9/8/2023 Rev.03 (Area 3 – WH6 and WH7)</p>	<p>OEMP updated to version 18 dated 13/01/23 and sighted submission to DPHI through government portal. Update on the plan include changes in the warehouse layout, traffic changes to access points to IMEX and PIWE, Mods 1-4 to SSD 7628, changes to MLP East Precinct site management and Logo changes.</p> <p>The OEMP and each relevant operational document was prepared in consultation with the identified stakeholders.</p> <p>OEMP Rev.18 (13/01/2023) was submitted to the Department, which confirmed that it is</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Post Approval Form re. Submission of POCR on the 9/8/2023</p> <p>Letter Tactical to DPHI 31/7/2023 re. notification of commencement of Area 3</p> <p>Post Approval Form 31/7/2023 re. notification of commencement of Area 3</p> <p>Evidence referred to elsewhere in this Audit Table and the SSD 6766 Audit Table</p>	<p>satisfied with the OEMP and subplans on the 7/9/2023.</p> <p>Presented letter to DPHI of notification of commencement of occupation and operations for Area 3 – WH6 and WH7.</p> <p>WH7 on the 31/7/2023. WH6 and WH7 Occupied on the 30/10/2023 and started operations on the 26/02/2024.</p> <p>To note: There is complexity around the actual date of commencement of operations for both SSD 7628 and SSD 6766 due to the approach approved through the POPD. This has implications for requirements which are triggered based on the date of commencement of operations.</p>	
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> <ul 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 RMS TfNSW; c. include details of all transport routes and traffic types to be used for development-related traffic, access and parking arrangements; <ul 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: <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 	-	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> vii. access arrangements. f. include a Heavy Vehicle Route Plan detailing: <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). 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: <ul style="list-style-type: none"> i. temporary traffic controls, including detours and signage; ii. how two lanes of traffic on Moorebank Avenue will be available at all times during construction (unless otherwise approved by RMS TfNSW; iii. temporary traffic controls, including detours and signage; iv. notifying the local community about development-related traffic impacts; v. responding to any emergency repair requirements or maintenance during construction; and vi. a traffic management system for managing oversized vehicles. h. 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 Avenue; and iii. drivers to implement safe driving practices. i. include a program to monitor the effectiveness of these measures; and j. detail procedures for notifying residents and the community (including local schools), of any potential disruptions to transport routes. 			
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, 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B5	A construction zone will not be permitted on Moorebank Avenue without the express approval of RMS TfNSW .	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			subject to separate audit programs and do not form part of this audit.	
B6	All demolition and construction vehicles must be contained wholly within the site and vehicles must enter the site before stopping.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B7	All vehicles are to enter and leave the site in a forward direction.	Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, Rev.14, SIMTA, 20/01/23 Site inspection 8/05/24	This requirement is specified within the approved OTAMP. The site is set up so that all traffic enters and exits in a forward direction.	Compliant
B8	All trucks entering or leaving the site with loads must have their loads covered and must not track dirt onto any public road.	Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, SIMTA, 15/05/20 Site inspection 8/05/24	This requirement is specified within the approved OTAMP. Trucks carrying cargo that is strapped or enclosed are the dominant heavy vehicle movements during operations. These have loads fastened. Waste is generally collected via enclosed garbage trucks. The site is sealed. No material tracking observed.	Compliant
Road safety audit				
B9	<p>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 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 RMS TfNSW.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Site access and layout design plan				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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 RMS TfNSW for approval, which shows that the proposed development complies with this requirement.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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>Consolidated Urban Design and Landscape Plan, 18/12/20, updated 13/10/2022 version 13</p> <p>Letter DPHI to Qube, 05/02/21 (conditional approval of Urban Design and Landscape Plans and subordinate plans)</p> <p>Interim Occupation Certificate No. 19/124520-5 (whole of Warehouse 1), Mckenzie Group, 21/06/19</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/2020</p> <p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/2020</p> <p>Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/2020</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 Department conditionally approved 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. 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.</p> <p>Urban Design and Landscape Plan was updated 13/10/2022 version 13.</p> <p>The Certifier has verified that the layout of car parking areas for each warehouse align with design.</p> <p>Note: The evidence provided indicates this condition is being satisfied via the building certification process. WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition.</p>	Compliant

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>As above</p> <p>Site inspection 8/05/24</p> <p>Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, Rev.14, SIMTA, 20/01/23</p> <p>Interim Occupation Certificate No. 19/124520-5 (whole of Warehouse 1), Mckenzie Group, 21/06/19</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/2020</p> <p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/2020</p> <p>Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/2020</p> <p>Occupation Certificate No. 211790/12 (Warehouse 6, excluding 1st floor), 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. 211790/15 (Warehouse 5 and 7b), Mckenzie Group, 31/01/2018</p>	<p>Design is verified through the UDLP and the issue of Construction Certificates (outside this audit scope) and Occupation Certificates.</p> <p>This requirement is specified within the approved OTAMP.</p> <p>Adequate parking and loading infrastructure and internal roadways were observed during the site inspection.</p> <p>Note: The evidence provided indicates this condition is being satisfied via the building certification process. WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition.</p>	Compliant
Road infrastructure upgrades to be undertaken by the Applicant				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status													
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>Table 1: Required Upgrades and Specified Timing Requirements</p> <table> <tr> <th rowspan="2">Item</th><th rowspan="2">Upgrade</th><th colspan="3">Specified Timing Requirements</th></tr> <tr> <th>Upgrade requirements</th><th>Required timing for 100% design approval by RMS TfNSW</th><th>Required timing for completion of upgrade</th></tr> <tr> <td>1</td><td> Moorebank Avenue Upgrade, being the upgrade of Moorebank Avenue to four lanes between Anzac Avenue and the IMEX Terminal Main access point, <u>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)</u> </td><td> <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> <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> <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> </table>	Item	Upgrade	Specified Timing Requirements			Upgrade requirements	Required timing for 100% design approval by RMS TfNSW	Required timing for completion of upgrade	1	Moorebank Avenue Upgrade , being the upgrade of Moorebank Avenue to four lanes between Anzac Avenue and the IMEX Terminal Main access point, <u>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)</u>	<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>Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, Rev.14, SIMTA, 20/01/23</p> <p>Modification Assessment Report (Mod-1), 14/3/2022, approved by DPHI</p> <p>https://www.planningportal.nsw.gov.au/major-projects/project/12316 (SSD 7628 Modification 1 application)</p>	<p>This requirement is specified within the approved OTAMP. The OTAMP identifies these deliverables as 'ongoing'.</p> <p>The MPE Stage 2 Modification 1 application (SSD7628_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 01/2019.</p> <p>Modification 1 (Mod-1) approval was received on the 14/03/2022 by the DPHI and published on the planning portal. The development is in accordance with the requirements from table 1.</p>	Compliant
Item	Upgrade			Specified Timing Requirements													
		Upgrade requirements	Required timing for 100% design approval by RMS TfNSW	Required timing for completion of upgrade													
1	Moorebank Avenue Upgrade , being the upgrade of Moorebank Avenue to four lanes between Anzac Avenue and the IMEX Terminal Main access point, <u>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)</u>	<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>													

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B14	A Works Authorisation Deed(s) (WAD) with RMS 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.	2018/9696 Moorebank Avenue, Moorebank Voluntary Planning Agreement	WAD was executed in September 2019 as part of the 2018/9696 Moorebank Avenue, Moorebank Voluntary Planning Agreement. This requirement was addressed in 2019. This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Compliant
B15	Traffic Control Signal (TCS) plans must be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner. The designs submitted to RMS TfNSW must be in accordance with Austroads Guide to Road Design in association with relevant RMS TfNSW supplements (available on www.rms.nsw.gov.au).	Refer response to Condition B13	These works have yet to commence. This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B16	RMS 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.	Refer response to Condition B13	These works have yet to commence.	Not Triggered
B17	The proposed road upgrade, road raising and widening works by the Applicant along Moorebank Avenue must be designed to meet RMS 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.	Refer response to Condition B13	These works have yet to commence.	Not Triggered
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 RMS TfNSW unless otherwise agreed by TfNSW and RMS TfNSW .	Refer response to Condition B13	These works have yet to commence.	Not Triggered
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.	Refer response to Condition B13	These works have yet to commence.	Not Triggered
B20	All works/ regulatory signposting associated with the road infrastructure upgrades must be approved by RMS TfNSW .	Refer response to Condition B13	These works have yet to commence.	Not Triggered
Road Infrastructure Upgrades – Monetary Contributions by Applicant				
B20A	<p>The Applicant must:</p> <ul style="list-style-type: none"> 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 	Interview with auditees 9/5/2024	Clarify if this is construction requirement!	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>effect to this Condition B20A, 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>			
B20B	<p>The Applicant must:</p> <ul style="list-style-type: none"> 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 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>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>	Interview with auditees 9/5/2024	Clarify if this is construction requirement!	Not Triggered
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.	Refer response to Condition B13	<p>These works have yet to commence.</p> <p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	Not Triggered
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 .	Refer response to Condition B13	<p>These works have yet to commence.</p> <p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	Not Triggered
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.	Refer response to Condition B13	<p>These works have yet to commence.</p> <p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	Not Triggered
B24	The Applicant must pay all costs incurred by Council and/or RMS TfNSW in relation to conditions B21 and B22 .	Refer response to Condition B13	These works have yet to commence.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	
Operating traffic				
B25	<p>The Applicant must ensure:</p> <ol style="list-style-type: none"> 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); the final configuration of the internal road network is established and available for use prior to occupation of the freight village or any warehousing; 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; the development does not result in any vehicles queuing on the public road network; heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site; all vehicles are wholly contained on site before being required to stop; all loading and unloading of materials is carried out on-site; all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto any public road; and the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times. 	<p>Site inspection 8/05/24</p> <p>Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, Rev.14, SIMTA, 20/01/23</p> <p>Post Approval Submission (DPHI portal) undated re: submission of OTAMP Rev 14 to DPHI</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 19/124520-5 (whole of Warehouse 1), Mckenzie Group, 21/06/19</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/2020</p> <p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/2020</p> <p>Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/2020</p> <p>Occupation Certificate No. 211790/12 (Warehouse 6, excluding 1st floor), 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. 211790/15 (Warehouse 5 and 7b), Mckenzie Group, 31/01/2018</p>	<p>The OTAMP was prepared to address requirements a – l of this condition. The Department approved the OTAMP on 06/12/19. These are monitored through site security. Refer also response to CoC B7, B8, B11 and B12.</p> <p>The Certifier has verified that the layout of car parking areas and internal roadways for each warehouse align with design and the relevant standards. The verification included review of master drawings and swept path analyses.</p> <p>Note: The evidence provided indicates this condition is being satisfied via the building certification process. WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition.</p> <p>During the inspection the auditor observed internal roadways, parking, loading and loading areas to be adequate for the works being carried out. No parking, queuing, loading or unloading was observed outside of the site. Vehicles enter and exit in a forward direction.</p> <p>Trucks carrying cargo that is strapped or enclosed are the dominant heavy vehicle movements during operations. These have loads fastened. Waste is generally collected via enclosed garbage trucks.</p> <p>The site is sealed. No material tracking observed.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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 TfNSW. 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> <ol style="list-style-type: none"> demonstrate how the development will be managed during operation to meet the requirements of this development consent; detail numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation; detail access arrangements for the site to ensure road and site safety, and demonstrate there will be no queuing on the road network; detail measures to ensure turning areas and internal access roads are kept clear of any obstacles, including parked cars, at all times; set out procedures for collecting the information required to prepare the Biannual Trip Origin and Destination Report required under condition B28; incorporate the Workplace Travel Plan as required under condition B29; include a driver's code of conduct that requires: <ol style="list-style-type: none"> compliance with specified travelling speeds; drivers to adhere to specified transport routes including no access from Cambridge Avenue; and drivers to implement safe driving practices. include a program to monitor the effectiveness of these measures. 	<p>Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, Rev.14, SIMTA, 20/01/23</p> <p>Post Approval Submission (DPHI portal) undated re: submission of OTAMP Rev 14 to DPHI</p>	<p>OEMP updated to version 18 dated 13/01/23 and sighted submission to DPHI through government portal. Update on the plan include changes in the warehouse layout, traffic changes to access points to IMEX and PIWE, Mods 1-4 to SSD 7628, changes to MLP East Precinct site management and Logo changes.</p> <p>OTAMP prepared to meet requirements a – h of this condition. The Department initially approved the OTAMP on 06/12/19 subject to updates being made. The OTAMPs development is staged, and it was updated and subsequently approved on 28/04/20.</p> <p>Consultation with TfNSW and LCC was undertaken throughout 2019 and with the ER in March 2020.</p> <p>OTAMP was revised (Rev.14) dated 20/01/23</p>	Compliant
B27	<p>The Operational Traffic and Access Management Plan required by condition B26 must be implemented by the Applicant for the duration of operations.</p>	<p>Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, Rev.14, SIMTA, 20/01/23</p> <p>Biannual Trip Origin Destination Report (MPE1 and MPE2), Ason Group for:</p> <ul style="list-style-type: none"> Nov 2020, 15/02/21 May 2021, 08/06/2021 Nov 2021, 16/12/2021 May 2022, 11/10/2022 Nov 2022, 19/01/2023 May 2023, 09/08/2023 Nov 2023, 26/02/2024 <p>Interview with auditees 8-9/05/24 and Site inspection 8/05/24</p> <p>Complaints Register current to 31 May 2024</p>	<p>During the inspection the auditor observed internal roadways, parking, loading and loading areas to be adequate for the works being carried out. No parking, queuing, loading or unloading was observed outside of the site. Vehicles enter and exit in a forward direction.</p> <p>Trucks carrying cargo that is strapped or enclosed are the dominant heavy vehicle movements during operations. These have loads fastened. Waste is generally collected via enclosed garbage trucks.</p> <p>The site is sealed. No material tracking observed.</p> <p>It is understood that a Truck Booking System is in place, WH7 presented their container schedule for 21/5/2024. Site security was observed on the day of the inspection.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Container schedule for 21/5/2024	<p>The BTODR verifies truck routes are being monitored and these align with the approved routes.</p> <p>No complaints regarding requirements from the OTAMP have been recorded during the audit period for Operations.</p> <p>Refer response to Conditions B7, B8, B11, B12, B25.</p>	
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 RMS TfNSW) that advises:</p> <ul style="list-style-type: none"> e. the number of actual and standard twenty-foot equivalent shipping containers despatched and received during the period; f. 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; g. records of vehicle numbers accessing the site; and h. 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 RMS 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 TfNSW.</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. 	<p>MPE Biannual Trip Origin Destination Report Framework, Arcadis, 17/09/19 (including consultation records)</p> <p>Biannual Trip Origin Destination Report (MPE1 and MPE2), Ason Group for:</p> <ul style="list-style-type: none"> - May 2022, 11/10/2022 - Nov 2022, 19/01/2023 - May 2023, 09/08/2023 - Nov 2023, 26/02/2024 - May 2024, 3/6/2024 <p>DPHI post approval portal lodgement for the BTODR for May 2022, 24/10/2022</p> <p>DPHI post approval portal lodgement for the BTODR for May 2023, 9/8/2023</p> <p>DPHI post approval portal lodgement for the BTODR for Nov 2023, 29/2/2024</p> <p>DPHI post approval portal lodgement for the BTODR for May 2024, 5/6/2024</p>	<p>The framework was prepared in consultation with RMS and TfNSW and finalised well before commencement of operation. The framework was incorporated into table 4-2 of the OTAMP, which was approved by the Department in December 2019. Operations commenced on 17/05/20.</p> <p>The Biannual Trip Origin Destination Report Item a) is addressed section 2.</p> <p>Item b) is presented in Section 3</p> <p>Item c) is presented in Section 4</p> <p>Item d) is presented in Section 5.</p> <p>Non-compliance: No evidence was sighted to verify that the BTODRs for November 2022 and May 2023 reports were submitted to the Department within one month of their preparation.</p> <p>Note: Prior finalisation of this audit report, the Applicant provided evidence of submission of the BTODRs for the reporting period 1 November 2023 to 30 April 2024. Letter from DPHI to Qube dated 27/06/2024 was sighted.</p>	Non-Compliant
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> <ul style="list-style-type: none"> a. be prepared in consultation with TfNSW; b. outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; 	<p>Workplace Travel Plan, SIMTA, 13/11/19 and 26/03/20 (the WTP)</p> <p>Letter DPIE to Qube, 06/12/19 (Initial conditional approval of OTAMP and WTP)</p> <p>Letter DPIE to Qube, 28/04/20 (approval of staged OTAMP and WTP)</p> <p>WTP updated 23/01/2023 Rev.13</p>	<p>The WTP was prepared to satisfy requirement a-f of this condition. The Department initially approved the WTP on 06/12/19 subject to certain updates being addressed. The WTPs development is staged, and it was updated and subsequently approved on 28/04/20.</p> <p>Consultation with TfNSW and LCC has been undertaken for the Road upgrades of</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>c. 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;</p> <p>d. 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</p> <p>e. include the results of negotiations with the relevant agencies/ authorities as required to facilitate the staged delivery of the public transport infrastructure including:</p> <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 <p>f. include provision of annual reporting of employee numbers to DP&E, Transport for NSW and RMS TfNSW for a period commencing one year from commencement of operation up to and including 5 years from occupation of final building.</p>	<p>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)</p> <p>TfNSW letter, 4/9/2023 Mod-5 re. changes to the road upgrades required to support Moorebank Logistics Park.</p>	<p>Moorebank Ave and M5 as part of the construction phase of the project.</p> <p>Consultation with TfNSW has been carried out for Mod-5, re. Sighted letter from TfNSW on the 4/9/2023 changes to the road upgrades required to support Moorebank Logistics Park. Assessment documentation supporting Mod 5 (the Mod document and the RtS) did include summary details around TfNSW and LCC consultation.</p> <p>The auditee indicated that some corrective actions will be executed late 2024 as follows:</p> <ul style="list-style-type: none"> - Consultation with TfNSW and LCC regarding public transport. A letter request for information regarding plan for public transport in the area, and the plan would be to do this on a 6 monthly or annual basis depending on what TfNSW and/or LCC can or cannot offer. - Tenant WOEMP will include a review and update of each of the WOEMP to ensure that end of facilities are confirmed and the workforce is regularly encouraged to use them. 	
B30	The Applicant must ensure that the Workplace Travel Plan is implemented for the life of the development.	<p>Workplace Travel Plan, SIMTA, 13/11/19 and 26/03/20 (the WTP)</p> <p>Warehouse Operational Environmental Management Plans (various) (WOEMP) as identified in Condition C6.</p> <p>4 Start Green Star rating for Warehouse 1 – Moorebank Logistics park, 2/8/2021</p> <p>4 Start Green Star rating for Warehouse 3 and 4 – Moorebank Logistics park, 11/06/2021</p> <p>4 Start Green Star rating for Warehouse 5 – Moorebank Logistics park, 6/8/2021</p> <p>Emails from Kight Frank and LOGOS dated 15/11/21 and 31/8/2023</p>	<p>Workplace Travel Plan has been implemented and some of the 4-star green star initiatives have been discussed and implemented by LOGOS. Sighted 4 Start Green Star rating for Warehouse 1, 3 and 5.</p> <p>The Applicant is having ongoing discussions with TfNSW via the WAD process.</p> <p>In consultation with LOGOS, Knight Frank ran a shuttle bus service for tenants from 15/11/21-31/8/23, sighted shuttle bus emails dated 15/11/21 and 31/8/2023.</p> <p>A shuttle bus demand survey of MPE tenants was conducted on the 18/10/2022 for a local railway station pickup at Liverpool.</p> <p>The shuttle bus service was ceased on 31/8/23. The site became pedestrian safe for</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Shuttle bus demand survey of MPE tenants, 18/10/2022</p> <p>Site inspection 8/05/24</p>	<p>access and the pedestrian gate from behind the café into the MPE estate was opened up between 5am to 6pm.</p> <p>Additionally, the auditee indicated that some corrective actions will be executed late 2024 as follows:</p> <ul style="list-style-type: none"> - Consultation with TfNSW and LCC regarding public transport. A letter request for information regarding plan for public transport in the area, and the plan would be to do this on a 6 monthly or annual basis depending on what TfNSW and/or LCC can or cannot offer. - Tenants will be encouraged to post on the notice board communications regarding car-pooling, cycling etc. 	
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> <ol style="list-style-type: none"> demonstrate how the development will be managed during construction to meet the requirements of this development consent; a description of the works proposed to be undertaken; a description of the plant, equipment and materials to be used and/or stored on each site, including dangerous and hazardous goods; a summary of the potential environmental impacts associated with the establishment and operation of the facility; 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; include a program to monitor the effectiveness of these measures; details of how waste is to be managed in association with the operation of the Plant; detail any licenses required to discharge waste from the plant; and mechanisms for the monitoring, review and amendment of the Ancillary Facilities Management Plan. 	-	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	Not Triggered

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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B34	<p>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:</p> <ul style="list-style-type: none"> 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; 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-B39); 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; 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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). 			
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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 stockpile 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> <ul style="list-style-type: none"> a. be prepared by a suitably qualified and experienced person(s); b. include: <ul style="list-style-type: none"> i. a protocol for recording the volume, type and source of fill imported to site and vehicle registrations on a daily basis; ii. quality assurance and quality control measures to ensure compliance with condition B35; iii. a protocol for dealing with unexpected finds including material contamination; and iv. independent auditing by a suitably qualified and experienced specialist; and c. be consistent with Volume 1 of Managing Urban Stormwater: Soils and Construction ('the Blue Book') (Landcom 2004) and include: <ul style="list-style-type: none"> i. Details on and the location of fill sorting, crushing and stockpiling; ii. Plans and details on the progressive formation of stockpiles, placement and stabilisation of placed fill; 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> iii. Stockpiles not to exceed 10m in height with stockpiles over 4m in height to be benched, with maximum of 1V:3H slopes; 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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B38	Permanent fill batters to adjacent lands to be a maximum of 1V:4H and details to be provided on methods of slope stabilisation.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Erosion and Sediment Control Plan				
B39	<p>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:</p> <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; 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>viii. location and details of all vehicle wash down bays and associated erosion and sediment control measures such as earthen bunds; and</p> <p>ix. a daily and weekly site inspection checklist consistent with International Erosion Control Association Best Practice Erosion and Sediment Control documents.</p> <p>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.</p>			
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 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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-year ARI event; no new drainage infrastructure work within the Defence Joint Logistics Unit (DJLU) site; 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 RMS TfNSW; siting and design of on-site detention basins to eliminate/ minimise excavation within the southern ordinance burial pits; and maintenance access to be provided to each on site detention basin. <p>d. Connection to natural creeklines:</p> <ol style="list-style-type: none"> 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> <ol style="list-style-type: none"> 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%. all stormwater quality elements are to be modelled in MUSIC as per the NSW MUSIC Modelling Guide. 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. 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. bioretention systems which are greater than 1,000m² in area, are to be divided into cells with no individual cell greater than 1,000m². 			

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>vi. all filter media used in stormwater treatment measures must:</p> <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. <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	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>Site inspection 8/5/24 and interview with audits 9/5/24</p> <p>Monthly SIOMP Stormwater Maintenance 1/1/2024 from MID Plumbing</p> <p>Sprig Stormwater Network & Water Quality Monitoring Data and Report for October 2023, from Apical (MID plumbing's consultant).</p>	<p>For OSD 9, MID plumbing undertakes monthly inspections and six-monthly + annual servicing of the OSD.</p> <p>Sighted monthly maintenance report from MID plumbing 1/1/2024.</p> <p>Stormwater maintenance records have been saved from 2020 to 2024.</p>	Compliant
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 TfNSW, and delivered, in accordance with condition B13. However, the Stormwater Management Plan must:</p> <p>a. include confirmation that any such works are proposed to be designed and delivered in accordance with condition B13; and</p> <p>b. incorporate, and be designed in consideration of, preliminary principles for that road drainage.</p>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B42	The amended numerical models are to be submitted to the Secretary with the Stormwater Management Plan.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Water quality monitoring plan				
B43	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).	Stormwater Network Water Quality Monitoring Data and Reporting, Apical, April 2021	The Spring 2023 Biodiversity Monitoring Report concluded that there were no changes to indicator variables that could be attributed to Project works and therefore in accordance with	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Sprig Stormwater Network & Water Quality Monitoring Data and Report for October 2023, from Apical</p> <p>Biodiversity Monitoring Report, Anzac Creek, Spring 2023, Bioanalysis, 9/1/2024</p>	<p>the Biodiversity Monitoring Strategy no adaptive management is required.</p> <p>Spring Biodiversity Monitoring Report was presented.</p>	
B44	<p>The Stormwater Monitoring Program must:</p> <ol style="list-style-type: none"> assess water quality and quantity performance for construction operation 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>Stormwater Network Water Quality Monitoring Data and Reporting, Apical, April 2021</p> <p>Sprig Stormwater Network & Water Quality Monitoring Data and Report for October 2023, from Apical</p> <p>Biodiversity Monitoring Report, Anzac Creek, Spring 2023, Bioanalysis, 9/1/2024</p>	<p>The Spring 2023 Biodiversity Monitoring Report concluded that there were no changes to indicator variables that could be attributed to Project works and therefore in accordance with the Biodiversity Monitoring Strategy no adaptive management is required.</p> <p>Spring Biodiversity Monitoring Report was presented.</p>	Compliant
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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>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, June 2021 from Sustainability Workshop (Mark Liebman)</p> <p>Moorebank Precinct East – Stage 2 WSUD Independent Audit, October 2022 from Sustainability Workshop.</p> <p>Moorebank Precinct East – Stage 2 WSUD Independent Audit, September 2023 from Sustainability Workshop</p>	<p>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>Stormwater audits have been conducted in accordance with CoC 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 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>	Compliance
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>Interview with auditees 9/5/24</p> <p>Stormwater Management Plan, 17/8/2020 Revision D, updated 18/2/2021 Revision E</p>	It was noted that the Interim and Ultimate OSD 9 & OSD 10 Stormwater Management Plan (Rev D, dated 17/8/2020) was conditionally approved by DPHI on 14/9/2020. The revised	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Interim Occupation Certificate No. 19/124520-5 (whole of Warehouse 1), Mckenzie Group, 21/06/19</p> <p>Final Occupation Certificate checklist for Warehouse 1 Target at 400 Moorebank Ave, Moorebank, Mckenzie Group, 06/06/19</p> <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/2020</p> <p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/2020</p> <p>Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/2020</p> <p>Letter from DPHI to Qube re. OC for WH5</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>Interim and Ultimate OSD 9 & OSD 10 Stormwater Management Plan (Rev E, dated 18/2/2021) was approved by DPHI on 19/3/2021.</p> <p>This requirement was addressed by the Certifier during the design phase. The stormwater system certificate is listed in the Occupational Certificate which has been issued by the Certifying authority.</p> <p>Sighted examples for:</p> <ul style="list-style-type: none"> - Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/2020. Item #46 – Completion Certificate for Civil and Stormwater Warranty Works prepared by Simmons dated 17/3/2020. Occupation Certificate for Warehouse 3 and offices was submitted to the DPHI. - Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/2020. Item #7 Installation Certificate for Stormwater Works prepared by D. Bennett Plumbing dated 22/10/2020. Occupation Certificate for Warehouse 5 was submitted to the DPHI on the 17/11/2020. <p>Note: The evidence provided indicates this condition is being satisfied via the building certification process. WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition.</p>	

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B48	Left blank			Not Triggered
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; 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. 	<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>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)</p>	<p>The Stormwater Infrastructure Operation and Maintenance Plan covers requirements a-i of this condition. The Plan was initially approved by the Department on 09/09/19, updated 23/01/2023.</p>	Compliant
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.	<p>Stormwater Infrastructure Operation and Maintenance Plan Moorebank Logistics Park – East Precinct, 26/03/20, SIMTA (the SIOMP), updated on the 23/01/23 (Rev 8).</p> <p>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)</p> <p>Precinct Master Plan – Ultimate, Drawing No. 0006, Rev.AL, 25 May 2023, Watson Young</p>	<p>The Stormwater Infrastructure Operation and Maintenance Plan covers this requirement. The Plan was approved by the Department on 09/09/19, updated 23/1/23 and submit to the DPHI and received acceptance on the 7/9/23.</p>	Compliant
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.	<p>Moorebank Precinct East – Stage 2 WSUD Independent Audit, June 2021 from Sustainability Workshop (Mark Liebman).</p> <p>Moorebank Precinct East – Stage 2 WSUD Independent Audit, October 2022 from Sustainability Workshop.</p> <p>Moorebank Precinct East – Stage 2 WSUD Independent Audit, September 2023 from Sustainability Workshop.</p>	<p>Annual Independent Audits have been carried out by Mark Liebman, CPEng, MIAust. Mark has over 20 years water quality management experience. Audits assessed the items listed and found that:</p> <ul style="list-style-type: none"> 1) The condition of the systems are varied with some elements requiring rectification. 2) It is likely that the constructed elements of the system are working as intended. 	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			3) The systems are being cleaned and maintained so they remain functional. 4) No excessive build up of material is evident. 5) A number of rectification measures are recommended	
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. 	Operational Emergency Response Plan Rev.15, SIMTA, 24/01/23 (the OERP)	<p>The flood emergency response forms part of the OERP, prepared as part of the OEMP. The OERP addresses requirements a-c of this condition. The FERP / OERP was initially approved by the Department on 10/12/19.</p> <p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	Not Triggered
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>Operational Emergency Response Plan Rev 15, SIMTA, 24/01/23 (the OERP)</p> <p>Interview with auditees 8-9/05/24</p> <p>Emergency Procedures Program For Moorebank Logistics Park - East, 400 Moorebank Ave, Moorebank, NSW 2170, People First Fire, 10/03/21</p> <p>Emergency Response Guidelines Training Sessions For Moorebank Logistics Park, People First Fire, 01/03/21</p>	<p>The flood emergency response forms part of the OERP, prepared as part of the OEMP. Last revision 24/1/23.</p> <p>Emergency response exercises have been completed. Each warehouse carry out emergency exercises, as required by the Plan.</p>	Compliant
AIR QUALITY				
Dust minimisation				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B54	Best practice reactive and proactive management measures must be implemented to minimise dust generated during all works authorised by this consent.	<p>Operational Air Quality Management Plan Rev.12, SIMTA, 23/01/23 (OAQMP)</p> <p>Interview with auditees 8-9/05/24</p> <p>Monthly Air Quality Monitoring Reports from Arcadis for 2021, 2022 and 2023</p> <p>Dust Monitoring Summary Reports from SERS for 2021, 2022 and 2023.</p> <p>MPE Operational Air Quality Six Monthly Compliance Report from Arcadis for:</p> <ul style="list-style-type: none"> - Nov 2020 to Apr 2021, No.2, 4/6/2021 - May to Oct 2021, No.3, 16/12/2021 - Nov 2021 to Apr 2022, No.4, 6/6/2022 - May to Oct 2022, No.5, 11/1/2023 - Nov 2022 to Apr 2023, No.6, 11/7/2023 - May to Oct 2023, No.7, 13/12/2023 	<p>This condition is addressed within the OAQMP.</p> <p>The Cranes, Straddle Carriers and Container Lifts are operational and managed by Qube/Kalmar. Operations and Maintenance manuals are managed by Qube, and a maintenance program has been implemented.</p> <p>Remote Console Operation Manual from Kalmar, 9/4/2021.</p> <p>A monthly internal air monitoring report is prepared by Arcadis. The reports review and analyse data, compare it to thresholds, identify exceedances (if any) and make recommendations. This is then compiled into a 6 monthly report.</p> <p>Compliance reports will note any exceedances, for example in the last compliance report Nov 2023, DPHI indicated to the Applicant to ensure measures are put in place as exceedances were low.</p> <p>Presented correspondence from Tactical to the tenants addressing the exceedances.</p>	Compliant
B55	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>Operational Air Quality Management Plan Rev.12, SIMTA, 23/01/23 (OAQMP)</p> <p>Monthly Air Quality Monitoring Reports from Arcadis for 2021, 2022 and 2023</p> <p>Dust Monitoring Summary Reports from SERS for 2021, 2022 and 2023.</p> <p>MPE Operational Air Quality Six Monthly Compliance Report from Arcadis for:</p> <ul style="list-style-type: none"> - Nov 2020 to Apr 2021, No.2, 4/6/2021 - May to Oct 2021, No.3, 16/12/2021 - Nov 2021 to Apr 2022, No.4, 6/6/2022 - May to Oct 2022, No.5, 11/1/2023 - Nov 2022 to Apr 2023, No.6, 11/7/2023 - May to Oct 2023, No.7, 13/12/2023 	<p>This condition is addressed within the OAQMP.</p> <p>Due to property access constraints monitors are located at the boundary of the MPE site to provide indicative results.</p> <p>Dust deposition is generally attributable to construction.</p> <p>Several measured exceedances are attributed to MPE Construction. For MPE Operations it was sighted during the site inspection that internal roads are kept clean of dust and traces of mud were sighted.</p>	Compliant
B56	During construction:	-	This audit addresses the operational requirements only. Audits for the construction	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<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. 		phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	
Construction air quality management plan				
B57	<p>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:</p> <ul 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: <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 addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B58	Air quality monitoring must be undertaken during early works, fill importation and construction.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Operational air quality management plan				
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. 	<p>Operational Air Quality Management Plan Rev.12, SIMTA, 23/01/23 (OAQMP)</p> <p>Post Approval Submission (DPHI portal) undated: submission of OAQMP to DPHI</p> <p>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)</p>	<p>The OAQMP was prepared in 2019 to address requirements a-d of this condition. It was approved by the Department on 19/09/19.</p> <p>OAQMP was updated 23/1/23 and approval from DPHI received 7/9/23.</p>	Compliant
B60	The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).	<p>Operational Air Quality Management Plan Rev.12, SIMTA, 23/01/23 (OAQMP)</p> <p>Complaints Register current to 31 May 2024</p> <p>Site inspection 8/05/24</p>	<p>This condition is addressed within the OAQMP.</p> <p>No odours identified during the inspection (or previous inspections on MPE and MPW undertaken for previous audits).</p> <p>No complaints received regarding this requirement.</p>	Compliant
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.	<p>Operational Air Quality Management Plan Rev.12, SIMTA, 23/01/23 (OAQMP)</p> <p>Monthly Air Quality Monitoring Reports from Arcadis for 2021, 2022 and 2023</p>	<p>This condition is addressed within the OAQMP.</p> <p>The Certifier has verified that fixed mechanical plant and equipment has been installed as per the relevant codes and standards. This is captured within the Occupation Certificates.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Dust Monitoring Summary Reports from SERS for 2021, 2022 and 2023.</p> <p>MPE Operational Air Quality Six Monthly Compliance Report from Arcadis for:</p> <ul style="list-style-type: none"> - Nov 2020 to Apr 2021, No.2, 4/6/2021 - May to Oct 2021, No.3, 16/12/2021 - Nov 2021 to Apr 2022, No.4, 6/6/2022 - May to Oct 2022, No.5, 11/1/2023 - Nov 2022 to Apr 2023, No.6, 11/7/2023 - May to Oct 2023, No.7, 13/12/2023 <p>Calibration Certificates for Air quality monitors for Envirosuite, 19/3/24</p> <p>Caesarstone WH3:</p> <ul style="list-style-type: none"> - Daily pre-operational inspection checklist: forklifts and attachments, 30/4/2024 - Forklift Service Schedule Work Order 5/4/2024 - Daily pre-operational inspection checklist: crane and attachments, 15/5/2024 - Service report for Hoist, 3/5/2024 - Caesarstone forklift plant checklist, K24166 and #67 - Caesarstone overhead crane checklist, CSA-EH-022a - Certificate for Base Station Model No. 4463-D, 19/3/2024 <p>Mainfreight WH7:</p> <ul style="list-style-type: none"> - Risk assessment for mobile plant 22/2/24 including forklift and reach lifts. - Forklift Maintenance history (12 months) <p>Interim Occupation Certificate No. 20/125116-5 (Warehouse 3 and offices), Mckenzie Group, 20/03/2020</p>	<p>Occupation Certificates for Warehouse 7 dated 31/01/2018 and Warehouse 6 dated 31/01/2018 sighted.</p> <p>Tenant fixed and mobile equipment records indicate that the plant and equipment on the project are being properly maintained.</p> <p>A monthly internal air monitoring report is prepared by Arcadis. The reports review and analyse data, compare it to thresholds, identify exceedances (if any) and make recommendations. This is then compiled into a 6 monthly report.</p> <p>Envirosuite are responsible for the installation and calibration of air quality monitor across the precinct. Sighted Certificate for Base Station Model NO. 4463-D, 19/3/2024. In total there are 4 monitors across.</p> <p>Records indicate that the plant and equipment on the project are being properly maintained. Sighted service reports for bridge cranes in WH3, forklift pre-operations checklist and maintenance for WH3 and WH7 and a risk assessment for mobile plant including forklift and reach lifts on WH7.</p> <p>WH7 advised the current forklifts are all new and yet to complete the bulk of the maintenance. They have some temporary machines which they have had serviced by Crown. The maintenance history was sighted.</p>	

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Interim Occupation Certificate No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), Mckenzie Group, 22/05/2020</p> <p>Interim Occupation Certificate No. J/78230/04 (Warehouse 5), Mckenzie Group, 04/12/2020</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>		
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	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status																
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 .	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered																
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered																
Construction hours																				
B65	<div>The construction hours detailed in Table 2 must be complied with, except where they may be undertaken under condition B66.</div> <table><tr><th colspan="3">Table 2: Hours of Work</th></tr><tr><th>Activity</th><th>Day</th><th>Time</th></tr><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></table>	Table 2: Hours of Work			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	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Table 2: Hours of Work																				
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																		
B66	<div>Except as permitted by an EPL, activities resulting in high noise impact (including impulsive or tonal noise emissions) must only be undertaken:</div> <div><div>a. between the hours of 8:00 am to 5:00 pm Monday to Friday;</div><div>b. between the hours of 8:00 am to 1:00 pm Saturday; and</div><div>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.</div></div> <div>Note:</div> <div>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.</div>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered																
B67	<div>Works may be undertaken outside the hours detailed in Table 2 in the following circumstances:</div> <div><div>a. for the delivery or dispatch of materials as requested by the NSW Police Force or other public authorities for safety reasons;</div><div>b. where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm;</div><div>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;</div></div>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered																

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status								
	<div>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.</div>											
B68	<div>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:</div> <div><div>a. 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);</div><div>b. where a negotiated agreement has been arranged with affected receivers;</div><div>c. 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</div><div>d. where works are undertaken as part of an Extended Hours Work Plan approved as part of the Out-Of-Hours Work Protocol.</div></div>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered								
B69	<div>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:</div> <div><div>a) a three-month assessment period, commencing at the start of extended hours construction works;</div><div>b) implementation of the Construction Noise and Vibration Management Plan;</div><div>c) noise monitoring at a representative number of sensitive receivers (including closest and furthest) to confirm the predicted noise levels;</div><div>d) targeted consultation with the noise affected sensitive receivers;</div><div>e) 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;</div><div>f) construction work timeframes and methods for investigation of noise complaints;</div><div>g) submission of monthly complaints reports to the Department for the life of extended hours activities;</div><div>h) continual refinement of mitigation measures based on consultation with the noise affected sensitive receivers;</div><div>i) implementation of work practices set out in section 5.2 of the ICNG;</div><div>j) 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.</div></div> <div><div>Table 3: Extended Hours of Work</div><table><tr><th>Activity</th><th>Day</th><th>Time</th></tr><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></table></div>	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	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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										

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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 .	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B71	Construction must be carried out in accordance with the construction noise management levels and requirements detailed in the INCG (DECC, 2009).	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B72	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: <ul style="list-style-type: none"> a) construction noise management levels established using the INCG (DECC 2009); b) vibration criteria established using the <i>Assessing Vibration: a Technical Guide</i> (DECC 2006) (for human exposure); and c) the vibration limits set out in the <i>German Standard DIN 4150-3: Structural Vibration effects of vibration on structures</i> (for structural damage). 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B73	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. <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>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Construction traffic noise				
B74	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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B75	The Applicant is to ensure that construction contractor's vehicles operate so as to minimise impacts. Measures that could be used include: <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 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	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.			
B76	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).	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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; 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- 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status						
	<p>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);</p> <p>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;</p> <p>k) noise and vibration monitoring procedures (routine and complaints triggered monitoring);</p> <p>l) a community consultation and complaints handling procedure; and</p> <p>m) mechanisms for the monitoring, review and amendment of this plan.</p>									
B78	Blasting is not permitted on the site.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered						
OPERATIONAL NOISE AND VIBRATION										
Hours of operation										
B79	<p>The permitted hours of warehouse and distribution operation are detailed in Table 4.</p> <p>Table 4: Hours of Operation</p> <table><tr><th>Activity</th><th>Day</th><th>Time</th></tr><tr><td>Operation</td><td>Monday to Sunday</td><td>24 hours</td></tr></table>	Activity	Day	Time	Operation	Monday to Sunday	24 hours	<p>Operational Noise and Vibration Management Plan Rev 13, SIMTA, 24/01/23 (ONVMP)</p> <p>Approved WOEMPs include the permitted hours.</p>	<p>Noted operations are able to be 24/7</p>	Compliant
Activity	Day	Time								
Operation	Monday to Sunday	24 hours								
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>Table 5: Noise Limits dB(A)</p>	<p>Operational Noise and Vibration Management Plan Rev.13, SIMTA, 24/01/23 (ONVMP)</p> <p>Container Noise Barrier Management Plan, SIMTA, 19/03/20 (The CNBMP) updated 28/03/2023 Rev.07</p> <p>Annual Noise Review Reports from Renzo Tonin for:</p> <ul style="list-style-type: none">- From Feb 2020 to Mar 2021 (Y1 Ops), 21/6/2021, Issue 2- From Apr 2021 to Apr 2022 (Y2 Ops), 23/05/2022, Issue 2	<p>The ONVMP was prepared to address this condition, and was approved by the Department on 09/09/19, updated 24/1/23.</p> <p>The CNBMP for SSD 6766 was prepared by SIMTA in mid 2019 and was updated to address each of the requirements of this condition. CNBMP was last updated 28/2/23.</p> <p>To note the noise criteria from SSD 7628 are more stringent than that required under SSD 6766 and the CNBMP has adopted the more stringent criteria.</p> <p>The Renzo Tonin noise reports state that the noise emanating from the MPE operations was</p>	Compliant						

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status																				
	<table border="1"> <thead> <tr> <th>Location (residential receivers)</th><th>Day LAeq,15 minute</th><th>Evening LAeq,15 minute</th><th>Night LAeq,15 minute</th><th>Night LA1, 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>Notes:</p> <p>To determine compliance with the LAeq,15-minute noise limits, noise from the development is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 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 LA1,1-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> <p>(i) wind speeds of up to 3 m/s at 10 metres above ground level; or</p> <p>(ii) 'F' atmospheric stability class.</p>	Location (residential receivers)	Day LAeq,15 minute	Evening LAeq,15 minute	Night LAeq,15 minute	Night LA1, 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	<p>- From Apr 2022 to Apr 2023 (Y3 Ops), 6/07/2023, Issue 2</p> <p>Warehouse 5 Operational Compliance Measurement, Renzo 09/04/21</p> <p>Warehouse 4A Operational Compliance Measurement, Renzo 06/04/21</p> <p>Warehouse 3B Operational Compliance Measurement, Renzo 06/04/21</p> <p>LOGOS MPE WH6 and WH7 – Acoustic Design Report from PWNA, Rev.5 28/3/2023</p>	<p>inaudible, but the background noise (made up of non-project noise sources) was above 35dB(A).</p> <p>Renzo undertook monitoring and confirmed compliance with B80 and B85 for each operational warehouse.</p> <p>For WH6 and WH7 an Acoustic Design Report from PWNA was completed on the 28/3/2023 (Rev.5). Noise reports will be prepared in due course.</p>	
Location (residential receivers)	Day LAeq,15 minute	Evening LAeq,15 minute	Night LAeq,15 minute	Night LA1, 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																				
Review of sleep disturbance impacts																								
B81	The Applicant must prepare a Review of Sleep Disturbance Impacts based on detailed design, including: <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. 	Operational Sleep Disturbance Impacts Report, 29/03/19	The OSDI Review was prepared to address this condition. It was approved by the Department on 09/09/19.	Not Triggered																				
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.	Operational Sleep Disturbance Impacts Report, 29/03/19	The OSDI Review was prepared to address this condition. It was approved by the Department on 09/09/19.	Not Triggered																				
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:	Operational Noise and Vibration Management Plan Rev.13, SIMTA, 24/01/23 (ONVMP)	The ONVMP was prepared to address requirements a-c of this condition. It was	Compliant																				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>d) an outline of management actions to be taken to address any potential non-compliances with the limits specified in Table 5;</p> <p>e) a description of contingency measures to be implemented in the event management actions do not reduce noise levels to a compliant level; and</p> <p>f) 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.</p>	Post Approval Submission (DPHI portal) undated re: submission of ONVMP to DPHI	<p>approved by the Department on 09/09/19, updated 24/1/23.</p> <p>Observation: The ONVMP was last updated on the 24/01/23 (revision 13). However, the document has a different date in the history revision table (19/12/2022).</p>	
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 .	LOGOS MPE WH6 and WH7 – Acoustic Design Report from PWNA, Rev.5 28/3/2023	For WH6 and WH7 an Acoustic Design Report from PWNA was completed on the 28/3/2023 (Rev.5). Noise reports will be prepared in due course.	Compliant
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.	<p>Warehouse 5 Operational Compliance Measurement, Renzo 09/04/21</p> <p>Warehouse 4A Operational Compliance Measurement, Renzo 06/04/21</p> <p>Warehouse 3B Operational Compliance Measurement, Renzo 06/04/21</p> <p>Warehouse 1 (Catch) Operational Compliance Measurement, Renzo 19/5/2022</p> <p>Annual Noise Review – April 2021 to April 2022, Renzo Tonin & Associates, 23/5/2022</p> <p>Annual Noise Review – April 2022 to April 2023, Renzo Tonin & Associates, 6/7/2023</p>	<p>Renzo Tonin undertook monitoring and confirmed compliance with B80 and B85 for each operational warehouse. Sighted compliance measurement for warehouses 1, 3B, 4A and 5. Reports for warehouse 3A (Caesarstone) and 4B (ATS) were also completed by Renzo Tonin and are attached to the Annual Noise Review for April 2021.</p> <p>Non-Compliance: No evidence was presented to verify that that the Operational Compliance Measurement Reports from Renzo Tonin for WH5, WH4A, WH4B, WH3B, WH3A and WH1 were submitted to the DPHI within 2 months of occupation or each warehouse.</p>	Non-Compliant
Operational noise report				
B86	<p>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:</p> <p>a) noise monitoring to assess compliance with the predicted operational noise levels and the noise limits specified in Table 5;</p> <p>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);</p> <p>c) sleep disturbance impacts compared to those determined in documents specified under condition A2;</p>	<p>Annual Noise Review Reports from Renzo Tonin for:</p> <ul style="list-style-type: none"> - From Feb 2020 to Mar 2021 (Y1 Ops), 21/6/2021, Issue 2 - From Apr 2021 to Apr 2022 (Y2 Ops), 23/05/2022, Issue 2 - From Apr 2022 to Apr 2023 (Y3 Ops), 6/07/2023, Issue 2 	<p>The Annual Noise Review Reports for 2021, 2022 and 2023 summarises all monitoring undertaken for the year (including, Warehouse noise monitoring, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring and Rail link angle of attack (AoA) monitoring.</p> <p>During Year 1 Operations (2021), the report included INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>d) impacts associated with annoying characteristics such as prominent tonal components, impulsiveness, intermittency, irregularity and dominant low-frequency content;</p> <p>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;</p> <p>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;</p> <p>g) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and heavy vehicle proportions; and</p> <p>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.</p>		<p>and Rail link noise monitoring at residential receivers. During Year 1 and 2 of operations, the report concluded that no exceedances of the planning approval noise limits were measured during Year 1 and 2 of operations.</p> <p>During Year 3 Operation, the report indicated that noise monitoring was undertaken in response to complaints received from residents in Wattle Grove between June and September 2022. In response to these complaints, additional noise mitigation and management measures were implemented, and a noise management program was in progress to review their effectiveness.</p>	
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.	<p>Annual Noise Review Reports from Renzo Tonin for:</p> <ul style="list-style-type: none"> - From Feb 2020 to Mar 2021 (Y1 Ops), 21/6/2021, Issue 2 - From Apr 2021 to Apr 2022 (Y2 Ops), 23/05/2022, Issue 2 - From Apr 2022 to Apr 2023 (Y3 Ops), 6/07/2023, Issue 2 <p>Submission to DPHI of Y1 ANRR, 23/06/2021 (via planning portal)</p> <p>Email Tactical to EPA, 24/6/2021 re. submission of Annual Noise Review for April 2021</p> <p>Operational Noise Monitoring Reports from Renzo Tonin for Q1 2021, 8/6/2021</p> <p>Letter from DPHI to Qube, 14/09/2021 re. acceptance of Operational Noise Report</p> <p>Six-monthly Operations Compliance Report:</p> <ul style="list-style-type: none"> - No.1 – May to Nov 2020, 30/3/2021. Post Approval Form, 5/4/2021 - No.2 – Nov 2020 to May 2021, 15/06/2021. - No.3 – May to Nov 2021, 20/12/2021. Post Approval Form, 22/12/2021 - No.4 – Nov 2021 to May 2022, 1/6/2022 (ANRR not included) 	<p>Operational Noise Monitoring Reports and Annual Noise Review Reports are submitted to the DPHI as part of the six-monthly compliance reports.</p> <p>Sighted Six-monthly Operations Compliance Report No.5 dated 16/02/2023 for the period of May to Nov 2022. This report was submitted to DPHI on the 27/02/2023.</p> <p>Non-compliance: According to the dates of monitoring specified within the Annual Noise Review, the Reports for Year 2 and Year 3 Operations have not been submitted to the EPA within 60 days of completion of the monitoring as required by this condition.</p>	Non-Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<ul style="list-style-type: none"> No.5 - May to Nov 2022, 16/02/2023. Post Approval Form, 27/2/2023. No.7 - Jun to Oct 2023, 3/4/2024. No.8 - Nov 2023 to Apr 2024, 3/4/2024 		
B88	<p>To ensure the operational noise impacts are appropriately managed, the following measures apply:</p> <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. 	<p>Operational Noise and Vibration Management Plan Rev.13, SIMTA, 24/01/23 (ONVMP)</p> <p>Warehouse 3A Operational Compliance Measurement, Renzo 01/12/20220</p> <p>Warehouse 4B (ATS) Operational Compliance Measurement, Renzo 01/12/20220</p> <p>Warehouse 5 Operational Compliance Measurement, Renzo 09/04/21</p> <p>Warehouse 4A Operational Compliance Measurement, Renzo 06/04/21</p> <p>Warehouse 3B Operational Compliance Measurement, Renzo 06/04/21</p> <p>Warehouse 1 (Catch) Operational Compliance Measurement, Renzo 19/5/2022</p> <p>Caesarstone WH3:</p> <ul style="list-style-type: none"> Daily pre-operational inspection checklist: forklifts and attachments, 30/4/2024 Forklift Service Schedule Work Order 5/4/2024 Daily pre-operational inspection checklist: crane and attachments, 15/5/2024 Service report for Hoist, 3/5/2024 Caesarstone forklift plant checklist, K24166 and #67 Caesarstone overhead crane checklist, CSA-EH-022a Certificate for Base Station Model No. 4463-D, 19/3/2024 <p>Mainfreight WH7:</p>	<p>This requirement is included in the approved ONVMP.</p> <p>Renzo Tonin undertook monitoring and confirmed compliance with B80 and B85 for each operational warehouse.</p> <p>The Annual Noise Review Reports for 2021, 2022 and 2023 summarises all monitoring undertaken for the year (including, Warehouse noise monitoring, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring and Rail link angle of attack (AoA) monitoring.</p> <p>During Year 1 Operations (2021), the report included INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements and Rail link noise monitoring at residential receivers. During Year 1 and 2 of operations, the report concluded that no exceedances of the planning approval noise limits were measured during Year 1 and 2 of operations.</p> <p>During Year 3 Operation, the report indicated that noise monitoring was undertaken in response to complaints received from residents in Wattle Grove between June and September 2022. In response to these complaints, additional noise mitigation and management measures were implemented, and a noise management program was in progress to review their effectiveness.</p> <p>No tonal reverse beacons were observed within SSD7628 during the inspection, except for delivery trucks.</p> <p>Records indicate that the plant and equipment on the project are being properly maintained. Sighted service reports for bridge cranes in WH3, forklift pre-operations checklist and maintenance for WH3 and WH7 and a risk</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<ul style="list-style-type: none"> - Risk assessment for mobile plant 22/2/24 including forklift and reach lifts. - Forklift Maintenance history (12 months) 	<p>assessment for mobile plant including forklift and reach lifts on WH7.</p> <p>WH7 advised the current forklifts are all new and yet to complete the bulk of the maintenance. They have some temporary machines which they have had serviced by Crown. The maintenance history was sighted.</p>	
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.	<p>Biannual Trip Origin Destination Report (MPE1 and MPE2), Ason Group for:</p> <ul style="list-style-type: none"> - Nov 2020, 15/02/21 - May 2021, 08/06/2021 - Nov 2021, 16/12/2021 - May 2022, 11/10/2022 - Nov 2022, 19/01/2023 - May 2023, 09/08/2023 - Nov 2023, 26/02/2024 <p>DPHI post approval portal lodgement 24/02/21 for Nov 2020 report</p> <p>DPHI post approval portal lodgement for the BTODR for Nov 2023, 29/2/2024</p> <p>DPHI post approval portal lodgement for the BTODR for May 2023, 9/8/2023</p> <p>Interview with auditees 8-9/05/24</p> <p>Complaints Register current to 31 May 2024</p>	<p>Since operations commenced in May 2020 all data in the Biannual Trip Origin Destination Reports (BTODR) is measured against the various parameters in the OTAM (Table 3-3: MLP East Precinct Parameters).</p> <p>The BTODRs provide information on the light and heavy vehicle movements and traffic volumes. However, from the data sighted on the reports it is not possible to conclude that freight vehicles have not turn right into the terminal site from Moorebank Avenue and have not turn left from the terminal site onto Moorebank Avenue. No additional evidence was provided by the auditee to verify this.</p> <p>The gate keepers on Moorebank Avenue police this. CCTV system is also in place to monitor this.</p> <p>No complaints regarding this requirement received.</p>	Compliant
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. 	<p>Operational Noise Monitoring for MLP, Renzo Tonin, 23/04/21</p> <p>Warehouse 3A Operational Compliance Measurement, Renzo 01/12/2020</p> <p>Warehouse 4B (ATS) Operational Compliance Measurement, Renzo 01/12/2020</p> <p>Warehouse 5 Operational Compliance Measurement, Renzo 09/04/21</p>	<p>The Renzo Tonin noise reports state that the noise emanating from the MPE operations was inaudible. Renzo undertook monitoring and confirmed compliance with B80 and B85 for each operational warehouse.</p> <p>The Annual Noise Review Reports for 2021, 2022 and 2023 from Renzo Tonin summarises all monitoring undertaken for the year (including, Warehouse noise monitoring, Continuous noise monitoring in residential areas, Continuous rail link noise monitoring and Rail link angle of attack (AoA) monitoring.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Warehouse 4A Operational Compliance Measurement, Renzo 06/04/21</p> <p>Warehouse 3B Operational Compliance Measurement, Renzo 06/04/21</p> <p>Warehouse 1 (Catch) Operational Compliance Measurement, Renzo 19/5/2022</p> <p>Annual Noise Review Reports from Renzo Tonin for:</p> <ul style="list-style-type: none"> - From Feb 2020 to Mar 2021 (Y1 Ops), 21/6/2021, Issue 2 - From Apr 2021 to Apr 2022 (Y2 Ops), 23/05/2022, Issue 2 - From Apr 2022 to Apr 2023 (Y3 Ops), 6/07/2023, Issue 2 <p>Letter from DPHI to Qube, 14/09/2021 re. acceptance of Operational Noise Report</p> <p>Six-monthly Operations Compliance Report:</p> <ul style="list-style-type: none"> - No.1 – May to Nov 2020, 30/3/2021. Post Approval Form, 5/4/2021 - No.2 – Nov 2020 to May 2021, 15/06/2021. - No.3 – May to Nov 2021, 20/12/2021. Post Approval Form, 22/12/2021 - No.4 – Nov 2021 to May 2022, 1/6/2022 (ANRR not included) - No.5 - May to Nov 2022, 16/02/2023. Post Approval Form, 27/2/2023. - No.7 - Jun to Oct 2023, 3/4/2024. - No.8 - Nov 2023 to Apr 2024, 3/4/2024 	<p>During Year 1 Operations (2021), the report included INP noise monitoring at Casula, Glenfield, Wattle Grove and Wattle Grove North, Container noise barrier measurements and Rail link noise monitoring at residential receivers. During Year 1 and 2 of operations, the report concluded that no exceedances of the planning approval noise limits were measured during Year 1 and 2 of operations.</p> <p>During Year 3 Operation, the report indicated that noise monitoring was undertaken in response to complaints received from residents in Wattle Grove between June and September 2022. In response to these complaints, additional noise mitigation and management measures were implemented, and a noise management program was in progress to review their effectiveness.</p> <p>Operational Noise Monitoring Reports and Annual Noise Review Reports are submitted to the DPHI as part of the six-monthly compliance reports.</p> <p>Sighted Six-monthly Operations Compliance Report No.5 dated 16/02/2023 for the period of May to Nov 2022. This report was submitted to DPHI on the 27/02/2023.</p>	
HERITAGE				
Archival recording				
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).	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			subject to separate audit programs and do not form part of this audit.	
Heritage management plan				
B92	<p>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 C1 and must:</p> <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. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B93	<p>The Heritage Management Plan must include:</p> <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. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			subject to separate audit programs and do not form part of this audit.	
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit. Operations do not involve ground disturbance.	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit. Operations do not involve ground disturbance	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit. Operations do not involve ground disturbance	Not Triggered
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).	Heritage Interpretation Plan, 27/06/19 Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)	The HIP was prepared, as part of the OEMP, to address the requirements of this condition. It was approved by the Department on 09/09/19 On 08/04/20 the Department confirmed that it is satisfied with the OEMP (including Heritage).	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B102	<p>The plan must form part of the OEMP required by condition C3 and must:</p> <ul style="list-style-type: none"> 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 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. 	<p>Heritage Interpretation Plan, 27/06/19</p> <p>Letter DPIE to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p>	<p>The HIP was prepared, as part of the OEMP, to address the requirements of this condition. It was initially approved by the Department on 09/09/19.</p> <p>On 08/04/20 the Department confirmed that it is satisfied with the OEMP (including Heritage).</p>	Compliant
BIODIVERSITY				
B103	<p>The Applicant must:</p> <ul style="list-style-type: none"> a) ensure that no more than 4.69 4.88 hectares of native vegetation is cleared for the development; and b) minimise: <ul style="list-style-type: none"> 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. 	Site inspection 8/05/24	The site was fenced. No clearing was observed to have occurred beyond the boundary. Clearing was completed during early construction.	Not Triggered
B104	<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 Tables 6, and 7 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</p> <ul style="list-style-type: none"> 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. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status																																				
	<div><div>Table 6: Ecosystem credit requirements</div><table><tr><th>Site</th><th>Plant community type</th><th>Area to be impacted</th><th>Credits required</th></tr><tr><td>MPE Stage 2 (excluding Moorebank Avenue site)</td><td>Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin (ME003)</td><td>0.4 0.29 ha</td><td>4-7</td></tr><tr><td>MPE Stage 2 (excluding Moorebank Avenue site)</td><td>Broad-leaved Ironbark - Melaleuca decora shrubby open forest on clay soils of the Cumberland Plain, Sydney Basin Bioregion (ME002)</td><td>0.05 ha</td><td>3</td></tr><tr><td>Moorebank Avenue site</td><td>Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin (ME003)</td><td>3.73 ha</td><td>167</td></tr><tr><td>Moorebank Avenue site</td><td>Parramatta Red Gum woodland on moist alluvium of the Cumberland Plain, Sydney Basin (ME005)</td><td>0.22 ha</td><td>6</td></tr><tr><td>Moorebank Avenue site</td><td>Forest Red Gum - Roughbarked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney (ME018)</td><td>0.59</td><td>17</td></tr></table><div>Table 7A: Species credit requirements</div><table><tr><th>Species</th><th>Impacted individuals</th><th>Credits required</th></tr><tr><td>Nodding Geebung (<i>Persoonia nutans</i>)</td><td>12</td><td>924</td></tr><tr><td>Hibbertia puberula subsp. puberula</td><td>440</td><td>4400</td></tr><tr><td>Small-flower Grevillia (<i>Grevillea parviflora</i> subsp. <i>parviflora</i>)</td><td>79</td><td>1106</td></tr></table></div>	Site	Plant community type	Area to be impacted	Credits required	MPE Stage 2 (excluding Moorebank Avenue site)	Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin (ME003)	0.4 0.29 ha	4-7	MPE Stage 2 (excluding Moorebank Avenue site)	Broad-leaved Ironbark - Melaleuca decora shrubby open forest on clay soils of the Cumberland Plain, Sydney Basin Bioregion (ME002)	0.05 ha	3	Moorebank Avenue site	Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin (ME003)	3.73 ha	167	Moorebank Avenue site	Parramatta Red Gum woodland on moist alluvium of the Cumberland Plain, Sydney Basin (ME005)	0.22 ha	6	Moorebank Avenue site	Forest Red Gum - Roughbarked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney (ME018)	0.59	17	Species	Impacted individuals	Credits required	Nodding Geebung (<i>Persoonia nutans</i>)	12	924	Hibbertia puberula subsp. puberula	440	4400	Small-flower Grevillia (<i>Grevillea parviflora</i> subsp. <i>parviflora</i>)	79	1106			
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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>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered																																				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status																		
	<table><tr><th colspan="3">Table 7B: Species credit requirements</th></tr><tr><th>Species</th><th>Impacted habitat area (ha)</th><th>Credits required</th></tr><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></table>	Table 7B: Species credit requirements			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			
Table 7B: Species credit requirements																						
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Koala (<i>Phascolarctos cinereus</i>)	0.29	3																				
B105	<p>Notwithstanding condition B103, the Applicant:</p> <p>a) 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</p> <p>b) 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>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered																		
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> <p>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</p> <p>b) set the stormwater water quality and quantity performance criteria referred to in condition B40.</p>	<p>Biodiversity Monitoring Report, Anzac Creek, Spring 2023, Bioanalysis, 9/1/2024</p> <p>Stormwater Network Water Quality Monitoring Data and Reporting, Apical, April 2021</p> <p>Sprig Stormwater Network & Water Quality Monitoring Data and Report for October 2023, from Apical</p> <p>Six-Monthly Operations Compliance Report #7 Jun to Oct 2023, 1/2/2024.</p> <p>Post Approval Form 5/3/2024 re. Six-Monthly Operations Compliance Report No.7</p>	<p>The Spring 2023 Biodiversity Monitoring Report concluded that there were no changes to indicator variables that could be attributed to Project works and therefore in accordance with the Biodiversity Monitoring Strategy no adaptive management is required.</p> <p>Spring Biodiversity Monitoring Report was presented.</p> <p>Consultation with DPHI and OEH was undertaken on the Operational Flora and fauna Management Plan (in 2019). Plan current date is 13/01/2023 (Appendix A).</p> <p>The Biodiversity Monitoring Report (9/1/24) is attached to the Six-Monthly Operations Compliance Report (Appendix F), Report No.7 Jun to Oct 2023, 1/2/2024. This report has been submitted to the DPHI. Sighted post approval form dated 5/3/2024</p>	Compliant																		
B107	<p>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>	<p>Biodiversity Monitoring Report, Anzac Creek, Spring 2023, Bioanalysis, 9/1/2024</p> <p>Stormwater Network Water Quality Monitoring Data and Reporting, Apical, April 2021</p>	<p>The Spring 2023 Biodiversity Monitoring Report concluded that there were no changes to indicator variables that could be attributed to Project works and therefore in accordance with the Biodiversity Monitoring Strategy no adaptive management is required.</p>	Compliant																		

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Sprig Stormwater Network & Water Quality Monitoring Data and Report for October 2023, from Apical	Spring Biodiversity Monitoring Report was presented.	
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 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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>	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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. 	<p>Operational Flora and Fauna Management Plan Rev.9, SIMTA, 13/01/23 (the OFFMP)</p> <p>Post Approval Submission (DPHI portal) undated re: submission of OFFMP Rev 7 to DPHI</p> <p>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)</p>	<p>The OFFMP was prepared to address the requirements of this condition. It was initially approved by the Department on 09/09/19, 8/04/20 and 7/9/2023 (Rev.9).</p> <p>Section 1.6 of the Plan shows consultation with the OEH – carried out on the 02/05/19.</p> <p>Consultation with DPHI and OEH was undertaken in 2019 (Appendix A of the Plan).</p> <p>To note the OFFMP states that there will be no further clearing of native vegetation during the operation stage.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	Operational Emergency Response Plan Rev.15, SIMTA, 24/01/23 (the OERP) Letter DPHI to Qube, 10/12/19 (approval of OERP [B116], inclusive of BEEMP [B143], BMP [B144] and FERP [B52]) Letter Blackash to Arcadis, 27/01/21 (review of APZs)	The APZs are presented in the OERP in section F5. It was initially approved by the Department on 10/12/19 and subsequently approved through the staged update approval process. Blackash reviewed the APZs and confirmed compliance with the NSW Rural Fire Service document Planning for Bush Fire Protection 2006	Compliant
HAZARDS AND RISKS				
Dangerous goods				
B112	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: 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. In the event of an inconsistency between the requirements listed above, the most stringent requirement shall prevail to the extent of the inconsistency.	Interview with auditees 8-9/05/24 Site inspection 8/05/24 Warehouse Operational Environmental Management Plans (various) (WOEMP) Warehouse Operational Environmental Management Plan for WH7 (Mainfreight), 1/3/2024, Rev. 2	The WOEMPs were prepared and address storage and handling of dangerous goods for their operations. Compliance with the DG management and limits is a requirement on the tenant. The auditee indicates that dangerous goods stored on site by tenants are below the threshold, expect for WH7 (Mainfreight). Sighted WOEMP WH7, section 3.10 address this requirement.	Compliant
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</i> – technical bulletin (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.	Interview with auditees 8-9/05/24 Site inspection 8/05/24 Warehouse Operational Environmental Management Plans (various) (WOEMP) Warehouse Operational Environmental Management Plan for WH7 (Mainfreight), 1/3/2024, Rev. 2	The WOEMPs were prepared and address storage and handling of dangerous goods for their operations. Compliance with the DG management and limits is a requirement on the tenant. The auditee indicates that dangerous goods stored on site by tenants are below the threshold, expect for WH7 (Mainfreight). Sighted WOEMP WH7, section 3.10 address this requirement.	Compliant
B114	The quantities of Dangerous Goods present at any time within each premises or transported from and to the development must be kept below the screening threshold quantities listed in the Department's Hazardous and Offensive Development Guidelines Application Guidelines Applying SEPP 33 (January 2014). 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 <i>Preliminary Hazard Analysis</i> prepared by Riskcon dated 11 October 2022 at all times.	Interview with auditees 8-9/05/24 Site inspection 8/05/24 Warehouse Operational Environmental Management Plans (various) (WOEMP)	The WOEMPs were prepared and address storage and handling of dangerous goods for their operations. Compliance with the DG management and limits is a requirement on the tenant. The auditee indicates that dangerous goods stored on site by tenants are below the threshold, expect for WH7 (Mainfreight).	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Warehouse Operational Environmental Management Plan for WH7 (Mainfreight), 1/3/2024, Rev. 2</p> <p>Standard Dangerous Good Register current to May 2024</p> <p>DG Coordinator Monthly Checklist for 10/5/2024 and 18/04/2024</p> <p>Emergency Response Plan for WH7 from Riskcon Engineering, 16/8/2023</p> <p>Dangerous Goods Report for WH7 from Riskcon, 27/4/2022, Rev.1</p> <p>Preliminary Hazards Analysis for WH7 from Riskcon, 11/10/2022, Rev.1</p>	<p>Sighted WOEMP WH7, section 3.10 address this requirement.</p> <p>Presented Emergency Response Plan from Riskcon for WH7 showing in section 3.4 the quantities of dangerous goods stored and handled, as follows:</p> <ul style="list-style-type: none"> - Class 2.1 (flammable gas) 588,000^ / 147,000 - Class 3 (flammable liquids – perfumery products) 800,000^ - Class 3 (flammable liquids – alcohol, 40% abv) 2,400,000^ - C1/C2 Combustible Liquids 1,350,000 <p>WH7 is the only tenancy managing DGs. Sighted DG Register current to May 2024. Section 3.10.1 and 3.10.2. Register is provided to Knight Frank on regular basis, DG are within the limits. Moving forward Knight Frank will request a monthly update of the WH7.</p> <p>A Dangerous Goods Report from Riskcon, dated 27/4/2022 was presented and concluded that if the advice documented in that report is followed the DG storages at the WH7 (Mainfreight) will comply with the standard.</p>	
B114A	<p>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.</p> <p>(a) FIRE SAFETY STUDY</p> <p>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.</p> <p>(b) FINAL HAZARD ANALYSIS</p> <p>A Final Hazard Analysis for Warehouse 7 with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'.</p>	<p>Interview with auditees 8-9/05/24</p> <p>Site inspection 8/05/24</p> <p>Standard Dangerous Good Register current to May 2024</p> <p>DG Coordinator Monthly Checklist for 10/5/2024 and 18/04/2024</p> <p>Dangerous Goods Report for WH7 from Riskcon, 27/4/2022, Rev.1</p> <p>Preliminary Hazards Analysis for WH7 from Riskcon, 11/10/2022, Rev.1</p> <p>Emergency Response Plan for WH7 from Riskcon Engineering, 16/8/2023</p> <p>Fire Safety Study from WH7 from Riskcon Engineering, 12/12/2023</p> <p>Letter from NSW Fire and Rescue to Mainfreight Distribution, 21/12/2023 re. Review</p>	<p>WH7 (Mainfreight) is the only tenant keeping Dangerous Goods on site. Sighted WOEMP WH7, section 3.10 Dangerous Goods.</p> <p>A Dangerous Goods Report dated 27/4/2022 and Preliminary Hazards Analysis dated 11/10/2022 from Riskcon were presented.</p> <p>Prior the finalisation of the audit report, the Applicant presented a copy of the Fire Safety Study (FSS) dated 12/12/2023 from Riskcon and a letter received from Fire Rescue NSW (FRNSW), dated 21/12/2023 which indicates that the FSS has been prepared to the satisfaction of FRNSW.</p> <p>Non-compliance: A Final Hazard Analysis for Warehouse 7 with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis' has not been prepared as per condition B114A (b).</p>	Non-Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		of Fire Safety Study (FSS) for MPE Warehouse 7	Additionally, no evidence was presented to verify that the Applicant submitted the Fire Safety Studies (dated 12/12/2023) to the Department no later than one month prior to the commencement of the storage of Dangerous Goods in Warehouse 7.	
B114B	<p>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.</p> <p>(a) EMERGENCY PLAN</p> <p>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'.</p> <p>(b) SAFETY MANAGEMENT PLAN</p> <p>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 Management System must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.</p>	<p>Interview with auditees 8-9/05/24</p> <p>Site inspection 8/05/24</p> <p>Dangerous Goods Report for WH7 from Riskcon, 27/4/2022, Rev.1</p> <p>Preliminary Hazards Analysis for WH7 from Riskcon, 11/10/2022, Rev.1</p> <p>Emergency Response Plan for WH7 from Riskcon Engineering, 16/8/2023</p>	<p>WH7 (Mainfreight) is the only tenant keeping Dangerous Goods on site. Sighted WOEMP WH7, section 3.10 Dangerous Goods.</p> <p>A Dangerous Goods Report dated 27/4/2022 and Preliminary Hazards Analysis dated 11/10/2022 from Riskcon were presented.</p> <p>Non-compliance: A document setting out a comprehensive Safety Management System, covering all on-site operations, associated transport activities involving hazardous materials for Warehouse 7, safety related procedures, responsibilities and policies and mechanisms ensuring adherence to the procedures has not been developed for Warehouse 7.</p> <p>Additionally, no evidence was presented to verify that the Applicant submitted the Emergency Plan 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.</p>	Non-Compliant
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>	<p>Interview with auditees 8-9/05/24</p> <p>Site inspection 8/05/24</p>	<p>Warehouse 7 started being occupied on the 30/10/2023 and then started their operation from the 26/02/2024.</p> <p>This condition is not triggered yet.</p>	Not Triggered
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>	<p>Interview with auditees 8-9/05/24</p> <p>Site inspection 8/05/24</p>	<p>As the Applicant has not prepared all the Plans and Fire Studies as per the requirements from the conditions B114A and B114B yet, this condition is considered not triggered.</p>	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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>Warehouse 3B Warehouse Operational Environmental Management Plan – Federal Hospitality Equipment Environmental Management Plan, 08/03/21</p> <p>Letter DPIE to Qube, 22/03/21 (approval of Warehouse 3B WOEMP)</p> <p>Warehouse Operation Environmental Management Plan (WOEMP) for Warehouse 5, 15/12/20</p> <p>Letter DPIE 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>Letter DPIE to Qube, 21/05/21 (approval of Warehouse 4A WOEMP)</p> <p>Warehouse Operational Environmental Management Plan (Warehouse 6), Rev.2, 4/8/2023</p> <p>Letter DPHI to Tactical, 26/9/23 (approval of Warehouse 6 WOEMP, Rev.2)</p> <p>Warehouse Operational Environmental Management Plan (Warehouse 7), Rev.0 14/12/2022 updated Rev.2, 14/9/2023</p> <p>Letter DPHI to Tactical, 28/06/23 (approval of Warehouse 7 WOEMP Rev.0)</p> <p>Letter DPHI to Tactical, 1/05/24 (approval of Warehouse 7 WOEMP Rev.2)</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>	Compliant
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; 	<p>Operational Emergency Response Plan Rev.15, SIMTA, 24/01/23 (the OERP)</p> <p>Post Approval Submission (DPHI portal) undated re: submission of OERP Rev 15 to DPHI</p> <p>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)</p>	<p>An OERP was prepared to address requirements a-d of this condition. It was initially approved by the Department on 10/12/19</p> <p>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</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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. 		<p>progressive roll-out of operations across the Moorebank Precinct East site.</p> <p>OERP was updated 24/1/2023 and approved by the DPHI on the 7/9/2023.</p>	
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> .	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B119	<p>The Applicant must:</p> <ul style="list-style-type: none"> 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. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
Operational waste management				
B120	<p>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:</p> <ul style="list-style-type: none"> 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. 	<p>Operational Waste and Resources Management Plan Rev.11, SIMTA, 23/01/23 (the OWRMP)</p> <p>Post Approval Submission (DPHI portal) undated re: submission of OWRMP Rev 11 to DPHI</p> <p>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)</p>	<p>An OWRMP was prepared to address requirements a-d of this condition. It was initially approved by the Department on 09/09/19.</p> <p>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.</p> <p>OWRMP was updated 23/1/2023 and approved by the DPHI on the 7/9/2023</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	<p>Operational Waste and Resources Management Plan Rev.11, SIMTA, 23/01/23 (the OWRMP)</p> <p>Warehouse Operational Environmental Management Plans (various) (WOEMP)</p> <p>Site inspection 8/05/24</p> <p>Mainfreight (WH7) Waste Report April 2024</p> <p>Caesarstone (WH3) Waste Register for 2021, 2022 and from Jan to Apr 2023</p>	<p>An OWRMP was prepared to address this condition. It was approved by the Department on 09/09/19 updated 23/1/24.</p> <p>The WOEMPs were prepared and address waste management for their operations. Compliance with the waste management requirements is a requirement on the tenant.</p> <p>Waste storage areas were inspected during the audit. They appeared to be well organised. No uncontrolled waste was observed on or off site. Refer to photos in Appendix.</p> <p>Waste report for WH7 for April 2024 was sighted, Waste data for WH3 for 2021, 2022 and from Jan to Apr 2023 was also presented.</p>	Compliant
Statutory requirements				
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.	<p>Operational Waste and Resources Management Plan Rev.11, SIMTA, 23/01/23 (the OWRMP)</p> <p>Warehouse Operational Environmental Management Plans (various) (WOEMP)</p> <p>Wastefree EPL 20572</p> <p>Mainfreight (WH7) Waste Report April 2024</p> <p>Caesarstone (WH3) Waste Register for 2021, 2022 and from Jan to Apr 2023</p>	<p>An OWRMP was prepared to address this condition. It was approved by the Department on 09/09/19 updated 23/1/23.</p> <p>The WOEMPs were prepared and address waste management for their operations. Compliance with the waste management requirements is a requirement on the tenant.</p> <p>Waste report for WH7 for April 2024 was sighted, Waste data for WH3 for 2021, 2022 and from Jan to Apr 2023 was also presented.</p> <p>Records sighted indicate that the waste generated comprises metals, general office waste, paper and cardboard. The waste appears to be transported by authorised transporters to authorised facilities. The auditor notes that the records sighted are not exhaustive.</p>	Compliant
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> .	<p>Operational Waste and Resources Management Plan Rev.11, SIMTA, 23/01/23 (the OWRMP)</p> <p>Warehouse Operational Environmental Management Plans (various) (WOEMP)</p> <p>Wastefree EPL 20572</p> <p>Mainfreight (WH7) Waste Report April 2024</p>	<p>An OWRMP was prepared to address this condition. It was approved by the Department on 09/09/19 updated 23/1/23.</p> <p>The WOEMPs were prepared and address waste management for their operations. Compliance with the waste management requirements is a requirement on the tenant.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Caesarstone (WH3) Waste Register for 2021, 2022 and from Jan to Apr 2023	Waste report for WH7 for April 2024 was sighted, Waste data for WH3 for 2021, 2022 and from Jan to Apr 2023 was also presented. The wastes generated during operations are pre-classified under the <i>Waste Classification Guidelines</i> .	
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.	Operational Waste and Resources Management Plan Rev.11, SIMTA, 23/01/23 (the OWRMP) Warehouse Operational Environmental Management Plans (various) (WOEMP) Site inspection 8/05/24	An OWRMP was prepared to address this condition. It was approved by the Department on 09/09/19 updated 23/1/23. The WOEMPs were prepared and address waste management for their operations. Compliance with the waste management requirements is a requirement on the tenant. Wastes did not appear to have been received during the site inspection. Warehouses inspected were confined to storage and handling of the products that they provide.	Compliant
B125	The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA	WH7 Certificates of Destruction issued to Mainfreight were sighted from Recycle Waste Management as follows: <ul style="list-style-type: none"> - Certificate No. 492/431 dated 29/3/2024 - Certificate No. 520/442 dated 29/4/2024 - Certificate No. 511/436 dated 29/3/2024 - Certificate No. 525/444 dated 29/4/2024 	The wastes generated during operations are pre-classified under the Waste Classification Guidelines. These wastes do not require analyses. Waste reports provided by waste service contractors and the waste registers identify the waste types. Records were available. Sighted Waste data for WH3 for 2021, 2022 and from Jan to Apr 2023. WH7 is the one storing Dangerous Goods and has disposal control process. No Dangerous Goods have been transported during this reporting period for IMEX, Warehouses 1, 3, 4, 5 & 6. WH7 Certificates of Destruction issued to Mainfreight were sighted from Recycle Waste Management as follows: <ul style="list-style-type: none"> - Certificate No. 492/431 dated 29/3/2024 - Certificate No. 520/442 dated 29/4/2024 - Certificate No. 511/436 dated 29/3/2024 - Certificate No. 525/444 dated 29/4/2024 	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			Note: Disposal of DGs were not provided.	
B126	The collection of waste generated during operation of the development must be undertaken between 7 am to 10 pm Monday to Friday.	Operational Waste and Resources Management Plan Rev.11, SIMTA, 23/01/23 (the OWRMP) Warehouse Operational Environmental Management Plans (various) (WOEMP) Complaints Register current to 31 May 2024	An OWRMP was prepared to address this condition. It was approved by the Department on 09/09/19 updated 23/1/23. The WOEMPs were prepared and address waste management for their operations. Compliance with the waste management requirements is a requirement on the tenant. No complaints received regarding this requirement.	Compliant
Pests, vermin and noxious weed management				
B127	The Applicant must: 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. <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>	Operational Waste and Resources Management Plan Rev.11, SIMTA, 23/01/23 (the OWRMP) Arcadis reports for 2022 and 2023 Weeding Reports for: - April to 2021 - for Jan and Feb 2024 MPE Operational – Weed Monitoring Report February 2021, Arcadis, 26/02/21 MPE Operational – Weed Monitoring Report April 2021, Arcadis, 11/05/21 Site inspection 8/05/24	This condition is addressed within the OFFMP, approved by the Department on 09/09/19 and updated on the 23/1/23. Bimonthly weed inspection has been undertaken to identify/verify additional weeds and any weed treatments. No pests, weeds or vermin were observed on site. The site was quite clean and free of waste that may attract vermin.	Compliant
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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>Audit Boundaries Drawing from JBS&G</p> <p>Interim Occupation Certificates from Mckenzie Group for:</p> <ul style="list-style-type: none"> - No. 19/124520-5 (whole of Warehouse 1), 21/06/19 - No. 20/125115-4 (Warehouse 4A and 4B including ancillary offices, landscaping and on-grade car parking), 22/05/20 - No. 20/125116-5 (Warehouse 3 and offices), 20/03/20 - No. J/78230/04 (Warehouse 5), 04/12/20 <p>Occupation Certificates from Mckenzie Group:</p> <ul style="list-style-type: none"> - No. 211790/12 (Warehouse 6, excluding 1st floor), 31/01/2018 - No. 211790/14 (Warehouse 6, including 1st floor offices), 31/01/2018 - No. 211790/08 (Warehouse 7 and Main office Stage 1 only), 31/01/2018 - No. 211790/09 (Racking Warehouse 7), 31/01/2018 - No. 211790/010 (For complete Warehouse 7 excluding mezzanine floor), 31/01/2018 - No. 211790/11 (Mezzanine floor in Warehouse 7 only), 31/01/2018 - No. 211790/13 (The reminder of racking storage in Warehouse 7), 31/01/2018 - No. 211790/15 (Warehouse 5 and 7b), 31/01/2018 <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 - Lot 24, 20/5/2019 	<p>According to the Occupation Certificates granted by the Certifier, SARs and SASs have been obtained for each site. The SAS for Lot 23 (WH6 and WH7) is presented on the Departments website.</p> <p>Audit Boundaries Drawing from JBS&G shows the Lots and Warehouses.</p> <p>Lot 22 – WH3, WH4 and WH5</p> <p>Lot 23 – WH6 and WH7</p> <p>Lot 24 – WH1 Catch</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 <p>Previous Audit non-compliance: The Auditor was unable to confirm if SAS for Lot 22 was submitted to the Department for warehouses 3, 4 and 5 prior to the Occupation Certificate was issued.</p> <p>No further evidence was provided to the Auditor on this matter. It was noted that construction of warehouses 3, 4 and 5 was completed during 2022 with operations commencing thereafter. The Applicant presented evidence of the SAS and Occupation Certificates for each of the warehouses. Therefore, actioning this matter is redundant and its considered closed. During this audit period this condition is not triggered.</p>	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<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, Re. Final <p>SAS for Lot 23 was acknowledged from DPHI on the 22/7/2020.</p> <p>SAS for Lot 24 was submitted to DPHI on the 20/5/2019.</p>		
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	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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; 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	b) an Asbestos Management Plan ; and c) Unexpected Finds Procedure . The Contamination Management Plan must be approved by a NSW EPA Accredited Site Auditor prior to submission to the Secretary.		subject to separate audit programs and do not form part of this audit.	
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B138	All containment cells located on the site following remediation shall be registered on title including, details of relevant Contamination Management requirements.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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 <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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; 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit. Refer to CoC B140 for note on approval of the UDLP (which incorporates recommendations from the UHIMS).	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> i. updated final Development Layout Plans and WSUD Plans required by conditions A22 and A23; ii. updated final architectural details required by condition A24; iii. UDLP required by condition B141 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; 	<p>Urban Design and Landscape Plan (UDLP), 13/10/2022, Rev.13.</p> <p>Interview with auditees 8-9/5/2024</p>	<p>Urban Design and Landscape Plan (UDLP) was presented, dated 13/10/2022, Rev.13. The Plan was developed to address the requirements from condition B140 and was implemented prior the occupation of the warehouses. Consultation records with the Department, Liverpool City Council (LCC) and NSW Government Architect (GANSW) were sighted as part of Appendix F of the Plan. These were undertaken from October 2018 to February 2021.</p> <p>This is not triggered yet for the freight village.</p> <p>Note: This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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 landscaping and not include land set aside for future access ways; 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/bioretenion basin fences higher than 1.2m must be transparent and dark in colour but not constructed of chain wire. 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 B143 B142 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; 			

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>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;</p> <p>o. details of where and how recommendations from the Construction Flora and Fauna Management Plan for the adjoining offset area (condition B108) and the requirements of conditions B140(e) and (f) have been incorporated into the UDLP,</p> <p>a. details of where and how recommendations from the Bushfire Management Plan (condition B144) have been incorporated into the UDLP,</p> <p>b. 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</p> <p>c. evidence of consultation with the Relevant Council(s), prior to finalisation of the UDLP.</p> <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> <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> <ul style="list-style-type: none"> 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. The approved plan must be implemented prior to occupation of the warehouse and freight village. <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> <ul 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>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<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> <ul 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. <ul style="list-style-type: none"> • The approved plan must be implemented prior to occupation of the warehouse and freight village. <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> <ul style="list-style-type: none"> • 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: <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>. • The approved plan must be implemented prior to occupation of the warehouse and freight village <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>			

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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: <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. 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. The approved plan must be implemented prior to occupation of the warehouse and freight village. 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 by a suitably experienced and qualified person(s). and submitted to the Secretary for approval. 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: <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; vi. details of the location and specifications of the common directory board; vii. 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 viii. internally illuminated signs are not permitted. The approved common directory board and wayfinding signs plan must be implemented prior to occupation of the warehouse and freight village. 			
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>Interview with auditee 9/5/24</p> <p>Urban Design and Landscape Plan (UDLP), 13/10/2022, Rev.13.</p>	<p>Project signage facing east is not illuminated.</p> <p>A common directory board located at the entrance of the precinct is in place to orient and direct users.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			Each warehouse has a signage in place including way-finding signage. Based on the site inspection it appears those signs are not illuminated and are not visible to residents.	
Ecologically sustainable development				
B142	Warehouses and the freight village must be designed and operated to meet ESD principles including: <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. 	Operational Waste and Resources Management Plan Rev 11, SIMTA, 23/01/23 (the OWRMP) Site inspection 8/05/24	This condition is addressed within the OWRMP, initially approved by the Department on 09/09/19. Individual warehouses have been designed to meet a minimum 4 star – Green Star accreditation, meaning that warehouses will typically include: <ul style="list-style-type: none"> • Passive solar design • LED lightbulbs (sighted during inspection) • Rainwater harvesting via rainwater tanks (sighted during inspection) • Water efficient toilet fixtures Note: Greenstar Certificates were not sighted.	Compliant
Bushfire management				
B143	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: <ul style="list-style-type: none"> a. be prepared by a suitably qualified and experienced person(s); b. 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 c. a copy of the plan must be submitted to the Secretary, NSW Rural Fire Service, Council and the Certifying Authority prior to occupation. 	Operational Emergency Response Plan Rev.15, SIMTA, 24/01/23 (the OERP) Post Approval Submission (DPHI portal) undated re: submission of OERP Rev 15 to DPHI Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/21 (the BEEMP)	The OERP and BEEMP were prepared to address this condition. They were initially approved by the Department on 10/12/19. OERP has been updated in 24/1/23. On 10/08/20 the Department approved the revised BEEMP.	Compliant
B144	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.	Operational Emergency Response Plan Rev.15, SIMTA, 24/01/23 (the OERP) Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/21 (the BEEMP)	The OERP and BEEMP were prepared to address this condition. They were initially approved by the Department on 10/12/19. OERP has been updated in 24/1/23. On 10/08/20 the Department approved the revised BEEMP.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Letter Blackash to Arcadis, 27/01/21 (review of APZs)	The Bushfire consultant reviewed the APZs and confirmed that the Project will achieve Bushfire Attack Level (BAL) 12.5, or BAL 19 which is well above the deemed to satisfy requirements of PBP 2006.	
B145	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.	Operational Emergency Response Plan Rev.15, SIMTA, 24/01/23 (the OERP) Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/21 (the BEEMP) Letter DPIE to Qube, 10/08/20 (approval of revised BEEMP) Letter Blackash to Arcadis, 27/01/21 (review of APZs)	The OERP and BEEMP were prepared to address this condition. They were initially approved by the Department on 10/12/19. OERP has been updated in 24/1/23. On 10/08/20 the Department approved the revised BEEMP. The Bushfire consultant reviewed the APZs and confirmed that the Project will achieve Bushfire Attack Level (BAL) 12.5, or BAL 19 which is well above the deemed to satisfy requirements of PBP 2006.	Compliant
B146	The provision of water, electricity and gas must comply with section 4.1.3 of <i>Planning for Bush Fire Protection 2006</i> .	Operational Emergency Response Plan Rev.15, SIMTA, 24/01/23 (the OERP) Letter DPIE to Qube, 10/08/20 (approval of revised BEEMP) Letter Blackash to Arcadis, 27/01/21 (review of APZs)	The OERP and BEEMP were prepared to address this condition. They were initially approved by the Department on 10/12/19. OERP has been updated in 24/1/23. The Bushfire consultant reviewed the APZs and confirmed that the Project will achieve Bushfire Attack Level (BAL) 12.5, or BAL 19 which is well above the deemed to satisfy requirements of PBP 2006.	Compliant
Ancillary facilities				
B147	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: 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: 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;	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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. 			
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> <ul 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: <ul 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 this condition. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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> <ul 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: 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> I. minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the 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. 			
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.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
B151	Boundary screening required under condition B150 must minimise visual, noise and air quality impacts on adjacent sensitive receivers.	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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. 	<p>Interview with auditees 8-9/05/24</p> <p>Site inspection 8/05/24</p>	There are no food premises.	Not Triggered
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.	<p>Interview with auditees 8-9/05/24</p> <p>Site inspection 8/05/24</p>	There are no food premises	Not Triggered
COMMUNITY ENGAGEMENT				
Community consultative committee				
B154	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.	https://moorebankintermodalprecinct.com.au/community/	The Community Consultative Committee (CCC) was established well before commencement of operations. Meetings are carried out quarterly. Sighted meeting minutes available online (last one 7/12/2023); the CCC	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<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 chair and appropriate representation from the Applicant, Council and the local community. 		<p>continues to meet at the set intervals and involves representatives from each of the stakeholders identified.</p> <p>Meetings minutes online include: 24/08/2023 and 7/12/2023. Other meetings were carried out on the 18/5/2022, 10/08/2022, 9/11/2022, 16/02/2023, 18/5/2023.</p>	
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. 	<p>Operation Community Communication Strategy, Moorebank Logistics Park – East Precinct, 23/01/2023 Rev.6 (the OCCS)</p> <p>Post Approval Form 27/03/2023</p> <p>Letter DPHI to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p> <p>Letter DPHI to Qube, 10/05/21 (acknowledgment of updated OEMP and OCCS)</p> <p>https://moorebankintermodalprecinct.com.au/community/</p>	<p>The OCCS was prepared to address requirement a – d of this condition and was approved prior to construction and remains in place. On 08/04/20 the Department confirmed that it is satisfied with the OEMP, OWMP, 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.</p> <p>On 10/05/21 the Department acknowledged n update to the OCCS.</p> <p>OCCS was last update on the 13/01/2023 (Rev.6) to include warehouse layout changes, traffic changes to access, Mod 1,3 and 4, LOGOS change and PLP East Precinct site management changes.</p>	Compliant
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. 	<p>Operation Community Communication Strategy, Moorebank Logistics Park – East Precinct, 23/01/2023 Rev.6 (the OCCS)</p> <p>Post Approval Form 27/03/2023</p> <p>Letter DPHI to Qube, 08/04/20 (MPE S1 and S2 operational document approval)</p>	<p>The OCCS was prepared and approved prior to construction and remains in place.</p> <p>On 10/05/21 the Department acknowledged n update to the OCCS.</p> <p>OCCS was last update on the 13/01/2023 (Rev.6) to include warehouse layout changes, traffic changes to access, Mod 1,3 and 4,</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Letter DPHI to Qube, 10/05/21 (acknowledgment of updated OEMP and OCCS)</p> <p>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)</p> <p>https://moorebankintermodalprecinct.com.au/community/</p>	<p>LOGOS change and PLP East Precinct site management changes.</p> <p>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs and CCS)</p>	
B157	The Complaints Register must be provided to the Secretary within 7 days upon request, for the period detailed within the request.	<p>https://moorebankintermodalprecinct.com.au/wp-content/uploads/2024/04/Moorebank-Intermodal-Precinct-Online-Complaints-document-toJun24.pdf</p> <p>Email to DPHI, 23/08/21, 15/11/21, 29/11/21, (issue of the complaints register)</p> <p>Six-monthly Compliance Reports (Appendix)</p>	<p>The complaints register, current up to May 2024, is accessible online. However, it does not clearly indicate which complaints are assigned to the project construction works and which ones are related to operations.</p> <p>Precinct wide complaints register (summary) was issued to the DPHI during 2021, then the summary was issued to the DPHI within the Six-Monthly Compliance Reports.</p> <p>No request from DPHI outside of the six-monthly period.</p>	Compliant
PART C - ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING				
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN				
C1	<p>Before the commencement of construction, a Construction Environmental Management Plan (CEMP) must be prepared to the satisfaction of the Secretary. The CEMP must:</p> <ol style="list-style-type: none"> identify the statutory approvals required to carry out the development; outline all environmental management practices and procedures to be followed during construction works associated with the development; describe all activities to be undertaken on the site during construction of the development, including a clear indication of construction stages; detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts; describe the roles and responsibilities for all relevant employees involved in construction works associated with the development; and include the management plans required under this approval, including: <ol style="list-style-type: none"> Construction Traffic and Access Management Plan; Concrete Batching Plant Management Plan; Soil and Water Management Plan; 	-	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.</p>	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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. 			
C2	<p>The Applicant must:</p> <ul 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. 	-	This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
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> <ul 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: <ul 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; 	<p>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct Rev.18, 13/01/23, SIMTA (the OEMP).</p> <p>Post Approval Submission (DPHI portal) undated re: submission of OEMP Rev 18 to DPHI</p> <p>Letter DPHI to Tactical/LOGOS, 7/9/23 (approval of OMPs)</p> <p>Stormwater Infrastructure Operation and Maintenance Plan Moorebank Logistics Park – East Precinct, 23/01/23, SIMTA (the SIOMP), Rev.8</p> <p>Operational Air Quality Management Plan, SIMTA, 23/01/23 (OAQMP), Rev. 12</p> <p>Operational Noise and Vibration Management Plan, SIMTA, 27/03/20 (the ONVMP) Rev.12 (no changes)</p> <p>Heritage Interpretation Plan, 27/06/19 (the HIP)</p>	<p>The OEMP was initially approved by the Department on 09/09/2019 and 18/03/2020.</p> <p>The OEMP was updated to version 18 dated 13/01/23. Sighted submission to DPHI through government portal. Update on the plan include changes in the warehouse layout, traffic changes to access points to IMEX and PIWE, Mods 1-4 to SSD 7628, changes to MLP East Precinct site management and Logo changes.</p> <p>Letter from DPHI to Tactical dated 7/9/2023 was sighted with approval of the revised OEMP and sub-plans.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> v. respond to emergencies; and 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. 	<p>Operational Flora and Fauna Management Plan, SIMTA, 13/01/23 (OTAMP), Rev. 09</p> <p>Operational Waste and Resources Management Plan, SIMTA, 23/01/23 (OTAMP), Rev. 11</p> <p>Operational Emergency Response Plan, SIMTA, 24 January 2023 (the OERP) Rev.15</p> <p>Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19 March 2021 (the BEEMP)</p> <p>Post Approval Submission (DPHI portal) updated re: submission of OEMP Rev.18 and sub-plans</p>		
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. 	<p>Refer evidence in Condition C3 above.</p> <p>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct Rev 18, 13/01/23, SIMTA (the OEMP)</p> <p>Post Approval Submission (DPHI portal) undated re: submission of OEMP Rev 18 to DPHI</p> <p>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)</p> <p>Email from Tactical re. latest OEMPs, 28/3/2023</p> <p>Email Knight Frank to Tenants re. latest OEMPs and sub-plans, no date</p>	<p>OEMP was updated to version 18 dated 13/01/23 and submission to DPHI was sighted through planning portal. Update on the plan include changes in the warehouse layout, traffic changes to access points to IMEX and PIWE, Mods 1-4 to SSD 7628, changes to MLP East Precinct site management and Logo changes.</p> <p>It is understood that operations commenced 17/05/20. To note: There is complexity around the actual date of commencement of operations for both SSD 7628 and SSD 6766 due to the approach approved through the POPD. This has implications for requirements which are triggered based on the date of commencement of operations.</p> <p>Letter from DPHI to Tactical, 7/9/2023 re. Revised OMPs the Department confirmed that it is satisfied with the OEMP, OWMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS.</p> <p>Sighted correspondence from Tactical to Knight Frank, LOGOS and relevant consultants with copies of the latest OEMPs, dated 23/3/2024. Knight Frank then forward</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			these documents to the tenants, sighted email with no date.	
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.	Site inspection 8/05/24 Operational Environmental Management Plan Moorebank Logistics Park – East Precinct Rev.18, 13/01/23, SIMTA (the OEMP)	LOGOS has control of the entire precinct, this has been reflected on the OEMPs and sub-plans.	Compliant
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. 	<p>Warehouse 1 Occupation Environmental Management Plan for Catch Rev 1, 14/03/22</p> <p>Email 7/03/22 DPHI-Tactical Group re: submission of WOEMP WH3A to DPHI</p> <p>Email 31/03/22 DPHI-Tactical Group re: assessment completion of WOEMP WH3A</p> <p>Environmental Management Plan WH3A Caesar Stone Rev 8, 26/05/20 by HSS</p> <p>Letter 23/04/20 DPHI-Tactical Group re: RFI - Warehouse OEMP 3A</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 DPIE to Qube, 22/03/21 (approval of Warehouse 3B WOEMP)</p> <p>Warehouse Operation Environmental Management Plan (WOEMP) for Warehouse 4a (PCA Express), Rev 1.2, 11/05/21 by Tactical Group</p> <p>Letter DPIE to Michael Yiend, Development Director, 04/05/21 RFI Warehouse 4A WOEMP)</p> <p>Warehouse Operation Environmental Management Plan (WOEMP) for Warehouse 4B, 15/10/20</p> <p>Letter DPIE to Qube, 21/10/20 (approval of Warehouse 4B WOEMP)</p>	Each WOEMP was prepared to address requirements a-c of this condition. Each was approved by the Department prior to their operations and each are available online.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Warehouse Operation Environmental Management Plan (WOEMP) for Warehouse 5, 15/12/20 Letter DPIE to Qube, 12/01/21 (approval of Warehouse 5 WOEMP)		
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; d. a program to monitor and report on the: <ul style="list-style-type: none"> i. impacts and environmental performance of the development; and ii. effectiveness of any management measures (see (c) above); e. a contingency plan to manage any unpredicted impacts and their consequences; f. a program to investigate and implement ways to improve the environmental performance of the development over time; g. a protocol for managing and reporting any: <ul style="list-style-type: none"> i. incidents and non-compliances; ii. complaints; iii. non-compliances with statutory requirements; and h. a protocol for periodic review of the plan. <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for a particular management plan.</i></p>	<p>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct Rev.18, 13/01/23, SIMTA (the OEMP).</p> <p>Operational Traffic and Access Management Plan Moorebank Logistics Park – East Precinct, Rev.14, SIMTA, 20/01/23</p> <p>Workplace Travel Plan, SIMTA, 13/11/19 and 26/03/20 (the WTP)</p> <p>Stormwater Infrastructure Operation and Maintenance Plan Rev.8, SIMTA, 23/01/23 (the SIOMP)</p> <p>Operational Emergency Response Plan Rev.15, SIMTA, 24/01/23 (the OERP)</p> <p>Operational Waste and Resources Management Plan Rev.11, SIMTA, 23/01/23 (the OWRMP)</p> <p>Operational Noise and Vibration Management Plan Rev.13, SIMTA, 24/01/23 (ONVMP)</p> <p>Operational Air Quality Management Plan, SIMTA, 23/01/23 (OAQMP), Rev. 12</p> <p>Heritage Interpretation Plan, 27/06/19 (the HIP)</p> <p>Operational Flora and Fauna Management Plan, SIMTA, (the OFFMP) updated 13/1/23 Rev.9</p> <p>Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19 March 2021 (the BEEMP)</p> <p>Post Approval Submission (DPHI portal) undated re: submission of OEMP Rev 18 to DPHI</p> <p>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)</p>	<p>Each of the OEMP and sub-plans (OTAMP, WTP, SIOMP, FERP, OAQMP, ONVMP, HIP, OFFMP, OWRMP, BEEMP) identify how they have addressed requirements a-h of this condition.</p> <p>OEMP was updated to version 18 dated 13/01/23 and submission to DPHI was sighted through planning portal. Update on the plan include changes in the warehouse layout, traffic changes to access points to IMEX and PIWE, Mods 1-4 to SSD 7628, changes to MLP East Precinct site management and Logo changes.</p> <p>It is understood that operations commenced 17/05/20.</p> <p>Letter from DPHI to Tactical, 7/9/2023 re. Revised OMPs the Department confirmed that it is satisfied with the OEMP, OWMP, ONVMP, OAQMP, OFFMP, OERP, SIOMP and OCCS.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Warehouse Operational Environmental Management Plans (various) (WOEMP)		
Revision of strategies, plans and programs				
C8	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.	As above.	<p>The evidence indicates that the OEMP and each of the sub-plans have undergone reviews and updates consistent with the approved POPD and that these have been submitted to the Department.</p> <p>OEMP was updated to version 18 dated 13/01/23 and submission to DPHI was sighted through planning portal. Update on the plan include changes in the warehouse layout, traffic changes to access points to IMEX and PIWE, Mods 1-4 to SSD 7628, changes to MLP East Precinct site management and Logo changes.</p> <p>MPE is 100% completed – subject to WH2.</p>	Compliant
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 C19; 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>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #04 January – December 2021</p> <p>Post Approval Form re. Submission of Annual Review #4 (Jan to Dec 2021) for SSD 7628, 7/6/2022</p> <p>Email from Aspect to LCC re. submission of Annual Review #04, 9/6/2022</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #05 January – December 2022, 31/08/23</p> <p>Post Approval Form re. Submission of Annual Review #5 (Jan to Dec 2021) for SSD 7628, 31/8/2023</p> <p>Letter from DPHI to Aspect re. approval of Annual Review #05, 17/10/2023</p> <p>Email from Aspect to LCC re. submission of Annual Review #05, 1/9/2023</p> <p>Interview with auditees 8-9/05/24</p> <p>This audit</p> <p>Modification 5, approved 4/9/2023</p> <p>Modification 6, approved 22/2/2024</p>	<p>Operations commenced 17/05/20.</p> <ul style="list-style-type: none"> a. Annual Reviews were submitted #04 (2021) on the 7/6/2022 and #05 (2022) on the 31/8/2023. Annual Review for 2023 is currently under preparation. b. No reportable incidents have been identified by the project. c. First audit for the operational period was completed 2021. d. Mods approved 4/9/23, 22/2/24 e. Understood to be no directions from the Secretary other than conditional letters of approval for the OEMP and sub-plans updates. <p>The OEMP and sub-plans and the OCCS were underwent reviews in 2023 (mostly January) and updates consistent with the POPD.</p> <p>Post Approval Submission (DPHI portal) undated re: submission of OEMP Rev 18 to DPHI. Letter DPHI to Tactical/LOGOS, 7/9/23 (approval of OMPs)</p> <p>The Auditor considers that the strategies, plans and programs are undergoing regular</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct Rev.18, 13/01/23, SIMTA (the OEMP).</p> <p>Post Approval Submission (DPHI portal) undated re: submission of OEMP Rev 18 to DPHI</p> <p>Letter DPHI to Tactical/LOGOS, 7/9/23 (approval of OMPs)</p>	review (and updates) to manage the environmental performance of the Project, and that the Department has been informed of these updates through the submission of the documents for approval.	
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 January – December 2021, 7/6/2022, Rev.2</p> <p>Post Approval Form re. Submission of Annual Review #4 (Jan to Dec 2021) for SSD 7628, 7/6/2022</p> <p>Email from Aspect to LCC re. submission of Annual Review #04, 9/6/2022</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #05 January – December 2022, 30/08/23, Rev.2</p> <p>Post Approval Form re. Submission of Annual Review #5 (Jan to Dec 2021) for SSD 7628, 31/8/2023</p> <p>Letter from DPHI to Aspect re. approval of Annual Review #05, 17/10/2023</p> <p>Email from Aspect to LCC re. submission of Annual Review #05, 1/9/2023</p>	<p>The Annual Reviews were prepared to address requirements a-f of this condition and were submitted to the relevant stakeholders.</p> <p>Presented Annual Reviews for:</p> <ul style="list-style-type: none"> Annual Review Report #4 2021, Jan-Dec 2021, 7/6/2022 Annual Review Report #5 2022, Jan to Dec 2022, 30/8/2023. Annual Review for 2023 is currently under preparation. <p>These reports are prepared by Aspect, sighted submission to the DPHI and LCC for annual review 202 and 2022.</p> <p>The CC has not requested a copy of the Annual Review Report.</p>	Compliant
Incident notification, reporting and response				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	Operational Environmental Management Plan Moorebank Logistics Park – East Precinct Rev.18, 13/01/23, SIMTA (the OEMP) Warehouse Operational Environmental Management Plans (various) (WOEMP) Interview with auditees 8-9/05/24	Incident management protocols are included in the OEMP and WOEMPs. No environmental incidents have been identified by the Project during the audit period 2021-2023.	Not Triggered
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 even if the Applicant fails to give the notification required under condition or, having given such notification, subsequently forms the view that an incident has not occurred.	As above Interview with auditees 8-9/05/24	Incident management protocols are included in the OEMP and WOEMPs. No environmental incidents have been identified by the Project during the audit period 2021-2023.	Not Triggered
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.	As above Interview with auditees 8-9/05/24	Incident management protocols are included in the OEMP and WOEMPs. No environmental incidents have been identified by the Project during the audit period 2021-2023.	Not Triggered
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.	As above Interview with auditees 8-9/05/24	Incident management protocols are included in the OEMP and WOEMPs. No environmental incidents have been identified by the Project during the audit period 2021-2023.	Not Triggered
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.	As above Interview with auditees 8-9/05/24	Incident management protocols are included in the OEMP and WOEMPs. No environmental incidents have been identified by the Project during the audit period 2021-2023.	Not Triggered
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.	Interview with auditees 8-9/05/24 First Operational Independent Audit, WolfPeak, 21/6/2021	The non-compliances raised during the previous Operational Independent Audit were notified to the DPHI on the 28/6/2021. No other non-compliances has been identified nor reported.	Compliant
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.	As above Interview with auditees 8-9/05/24	The response to audit findings include the details required by this condition but could be improved.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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, plan or program required under this consent; review the adequacy of any approved strategy, plan or program required under this consent; and 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>Moorebank Precinct East Operations Independent Audit Program, WolfPeak, 24/02/20, updated 25/06/2024</p> <p>Email, Tactical to WolfPeak, 12/10/2023 (commissioning of audit)</p> <p>Interview with auditees 8-9/05/24</p> <p>Letter DPHI to Tactical, 22/4/2024 (approval of audit team)</p> <p>Consultation records (attached to this audit report)</p>	<p>An Audit Program was prepared in 2020 which set out the approach to the Independent Audits for the operational phase of SSD 6766 and SSD 7628. The Audit Program is currently being updated by WolfPeak to reflect the 3 yearly audits completed in June 2024.</p> <p>WolfPeak was approved by the Department as the Independent Auditors on May 2024.</p> <p>It is understood that operations commenced on 17/05/20. First audit was commissioned on 22/04/21 and the The-yearly audit on the 12/10/2023.</p> <p>Consultation was completed with the Department, the EPA, Liverpool Council, and the CCC for this audit.</p>	Compliant
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>Interview with auditees 8-9/05/24</p> <p>Independent Audit, 21/6/2021 WolfPeak</p> <p>MPE Submission of Response to June 2021 Independent Audit Report, Tactical Group, no date</p>	<p>First Operational Independent Audit and Response was submitted to the DPHI on the 28/6/2021.</p>	Compliant
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> <ol style="list-style-type: none"> make copies of the following publicly available on its website: <ol style="list-style-type: none"> the documents referred to in condition A2 of this consent; all current statutory approvals for the development; all approved strategies, plans and programs required under the conditions of this consent; 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; 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; a summary of the current stage and progress of the development; 	<p>https://moorebankintermodalprecinct.com.au/precincts/moorebank-precinct-east/</p> <p>Six-Monthly Compliance Reports for 2021, 2022 and 2023</p> <p>Complaints Register current to 31 May 2024</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #04 January – December 2021, 7/6/2022, Rev.2</p> <p>Moorebank Precinct East (SSD 7628) Stage 2: Annual Review #05 January – December 2022, 30/08/23, Rev.2</p>	<p>The project 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 (phased operations) 	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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>	Independent Audit Report MPE East Operations (SSD 6766 and SSD 7628), WolfPeak, 21/06/2021 V.1.	<ul style="list-style-type: none"> • contact details to enquire about the development or make a complaint; • Complaints register updated on a monthly basis; • Annual Reviews for 2021 (#04) and 2022 (#05) • Independent audit reports <p>The website is current.</p>	
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> <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. quarterly 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, 24/05/18</p> <p>Program for Operational Phase Documentation (POPD), 22/3/2019</p> <p>Pre-Operational Compliance report, 13/7/2020 Rev.06 (Area 1 – WH1 and IMEX)</p> <p>Pre-Operational Compliance report, 25/6/2021 Rev.04 (Area 2 – WH3, WH4, and WH5)</p> <p>Pre-Operational Compliance report, 9/8/2023 Rev.03 (Area 3 – WH6 and WH7)</p> <p>Moorebank Logistics Park, MPE Six-monthly Operations Compliance Report:</p> <ul style="list-style-type: none"> - No.1 – May to Nov 2020, 30/3/2021. Post Approval Form, 5/4/2021 - No.2 – Nov 2020 to May 2021, 15/06/2021. - No.3 – May to Nov 2021, 20/12/2021. Post Approval Form, 22/12/2021 - No.4 – Nov 2021 to May 2022, 1/6/2022 (ANRR not included) - No.5 - May to Nov 2022, 16/02/2023. Post Approval Form, 27/2/2023. - No. 6 – Nov 2022 to May 2023, 8/9/2023. - No.7 - Jun to Oct 2023, 3/4/2024. 	<p>This audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit. The Compliance Tracking Program was prepared and approved by the Department prior to operations.</p> <p>Pre-Operation Compliance reports, which do relate to commencement of operations, were prepared in accordance with the Compliance Tracking Program, the Compliance Reporting Post Approval Requirements (NSW DP&E, June 2018) and the phased approach to the POPD. Sighted Pre- Operations Compliance Reports for Area 1, 2 and 3.</p> <p>During the Operations on the MPE, six-monthly operations compliance reports have been prepared as follows:</p> <ul style="list-style-type: none"> - No.1 – May to Nov 2020, 30/3/2021. Post Approval Form, 5/4/2021 - No.2 – Nov 2020 to May 2021, 15/06/2021. - No.3 – May to Nov 2021, 20/12/2021. Post Approval Form, 22/12/2021 - No.4 – Nov 2021 to May 2022, 1/6/2022 (ANRR not included) - No.5 - May to Nov 2022, 16/02/2023. Post Approval Form, 27/2/2023. - No. 6 – Nov 2022 to May 2023, 8/9/2023. 	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>No.8 - Nov 2023 to Apr 2024, 3/4/2024 Independent Audit Program, WolfPeak 2020, updated version 25/6/2024.</p> <p>Compliance Tracker, current to 30/4/2024</p> <p>Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)</p> <p>Email from Tactical re. latest OEMPs, 28/3/2023</p> <p>Email Knight Frank to Tenants re. latest OEMPs and sub-plans, no date</p>	<p>- No.7 - Jun to Oct 2023, 3/4/2024.</p> <p>The Compliance Tracker (current to 30/4/2024) is the main tool to monitor the non-compliances and will dictate the process. The Tracker is reviewed every six-month and it is a live document.</p> <p>Observation: It was noted that the process to identify and follow-up non-compliances from the implementation of the Operation Environmental Management Plan (OEMP), sub-plans and Warehouses Operations Environmental Management Plans (WOEMP) is not linked to the Compliance Tracker developed for the Moorebank Precinct East. It is recommended to revise this process as it would be beneficial to include how non-compliances from the implementation of the plans are tracked.</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.</p> <p>This condition does not preclude the same ER for MPW projects being considered by the Secretary</p>	-	The ER has been engaged and continues in its role for construction. However, this audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
C23	Construction must not commence until an ER nominated under C24 C22 has been approved by the Secretary.	-	The ER has been engaged and continues in its role for construction. However, this audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered
C24	<p>From commencement of any works until completion of construction, the approved ER must:</p> <ol style="list-style-type: none"> on behalf of the Applicant, receive and respond to communication from the Secretary in relation to the environmental performance of the development; consider and inform the Secretary on matters specified in the terms of this consent; 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; 	-	The ER has been engaged and continues in its role for construction. However, this audit addresses the operational requirements only. Audits for the construction phases for SSD 6766 and SSD 7628 are subject to separate audit programs and do not form part of this audit.	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>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 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>			

APPENDIX C – EPBC 2011/6229 CONDITIONS OF APPROVAL

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Protection of EPBC flora and fauna and the environment on Commonwealth land				
1	For the better protection of the GHFF, the person taking the action must: a) not clear more than 11 hectares of GHFF foraging habitat,	-	This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	Not Triggered
	For the better protection of the GHFF, the person taking the action must: b) engage a suitably qualified expert to undertake a pre-clearance survey(s) to confirm the absence of GHFF roosting camps within the rail easement, no more than 48 hours prior to the clearance of potential GHFF roosting habitat			
	For the better protection of the GHFF, the person taking the action must: c) notify the Department in writing of the results of pre-clearance surveys			
	If the GHFF is detected roosting on site, all native vegetation clearance activities must halt until the person taking the action has complied with any directions the Minister may wish to issue regarding timing of construction or methods for dispersal of the GHF			
2	For the better protection of the Macquarie Perch, the person taking the action must: a) engage a suitably qualified expert to design (or provide input on the design of) all crossings which are proposed to be implemented across Macquarie Perch habitat. Any such crossings must be of a suitable design that provides for the passage requirements of Macquarie Perch		This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	Not Triggered
	For the better protection of the Macquarie Perch, the person taking the action must: b) implement all feasible and practicable measures that ensure sedimentation and / or erosion (as a result of the proposed action) do not lead to any further reductions in the water quality, or degradation of, Macquarie Perch habitat			
3	For the better protection of Hibbertia so. Bankstown, the person taking the action must engage a suitably qualified expert to undertake a targeted search for individuals of Hibbertia so. Bankstown within all areas of potential habitat during the species' flowering period		This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	Not Triggered
4	For the better protection of Bynoe's Wattle , the person taking the action must engage a suitably qualified expert to undertake a field habitat assessment that targets the ecological requirements of Bynoe's Wattle, in all areas of Castlereagh Scribbly Gum Woodland likely to be cleared as a result of the proposed action.		This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	Not Triggered
	If the assessment determines there is potential for the species to occur on site, then a suitably qualified expert must undertake a targeted search for individuals of Bynoe's Wattle within all areas of potential habitat identified by the habitat assessment during the species' flowering period.			
Flora and Fauna Management Plan				
5	For the better protection of EPBC listed flora & the environment on Commonwealth land, the person taking the action must engage a suitably qualified expert to prepare a Flora and Fauna Management Plan (FFMP) for the approval of the Minister.	-	This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	Not Triggered
	The FFMP must include (but need not be limited to): b) detailed maps of the rail link easement and construction zone showing: i. permanent infrastructure and temporary works; ii. no-go areas; and iii. physical barriers used for the protection of native vegetation on Commonwealth land, and of EPBC Act listed Nodding Geebung and Small-flower Grevillea			
	The FFMP must include (but need not be limited to):			

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	c) measures to minimise the extent of native vegetation clearing upon Commonwealth land and the clearing of Nodding Geebung and Small-flower Grevillea			
	The FFMP must include (but need not be limited to): d) provisions to ensure no more than 17 individuals of Nodding Geebung and 634 stems of Small-flower Grevillea are cleared			
	The FFMP must include (but need not be limited to): e) the results of targeted surveys for Hibbertia sp. Bankstown and Bynoe's Wattle (including the number of individuals recorded) and what measures will be implemented to avoid, mitigate and manage impacts to these species, if individuals are found on site			
	The FFMP must include (but need not be limited to): f) measures which allow terrestrial fauna to disperse naturally ahead of clearing activities, and minimise the risk of injury to individuals			
	The FFMP must include (but need not be limited to): g) actions to maintain or enhance the long-term viability of native vegetation adjoining the rail easement in particular, adjoining populations of Nodding Geebung and Smallflower Grevillea,			
	The FFMP must include (but need not be limited to): h) measures to safeguard flora and fauna from the threat of weeds, fire, pathogens and 170nauthorized access, including (but not limited to) the commitments outlined in section 7.4.1 of the EIS (and summarised at Annexure A)			
	The FFMP must include (but need not be limited to): i) ongoing monitoring to inform the adaptive management of native vegetation adjoining the rail easement			
	Native vegetation clearance must not occur until the FFMP has been approved. The FFMP must be implemented once approved			
Threatened Flora Offset Management Plan				
6	For the better protection of Nodding Geebung , Small-flower Grevillea (and potentially, Hibbertia so. Bankstown and Bynoe's Wattle pending the outcome of conditions 3) and 4) the person taking the action must engage a suitably qualified expert to prepare a Threatened Flora Offset Management Plan (TFOMP) (or plans) for the approval of the Minister.	-	This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	Not Triggered
	The TFOMP must include (but need not be limited to): a) details of a direct offset that satisfies the requirements of the Department's offset policy, in accordance with the offset user guide (including timeframes for the delivery or acquisition of the direct offset)			
	The TFOMP must include (but need not be limited to): b) map(s) and shapefiles that identify the location and boundaries of the direct offset			
	The TFOMP must include (but need not be limited to): c) details of the management actions and performance objectives which will maintain and enhance the Nodding Geebung and Small-flower Grevillea habitat and/or population covered by the TFOMP (including the duration, intensity, and timing of management actions)			
	The TFOMP must include (but need not be limited to): d) an assessment of the baseline population and distribution for Nodding Geebung and Small-flower Grevillea within the direct offset, including: i. the number of plants protected and their location; and plant and habitat condition			

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	The TFOMP must include (but need not be limited to): e) measures for regular monitoring of the status of individuals of Nodding Geebung and Small-flower Grevillea and their habitat as measured against the baseline population and distribution, including: i. fluctuations in population size and distribution; and response to disturbances and/or management actions			
	The TFOMP must include (but need not be limited to): f) provisions to revise the approved TFOMP in response to monitoring associated with condition 6l			
	Native vegetation clearance must not occur until the TFOMP has been approved. The TFOMP must be implemented once approved.			
	Should the action result in, or be likely to result in, residual impacts to Hibbertia sp. Bankstown or Bynoe's Wattle (as determined by the Minister), the TFOMP must also demonstrate how it meets the standards described in (a) to (f), for these two species.			
Construction Environment Management Plan				
7	For the better protection of Commonwealth land, the person taking the action must engage a suitably qualified expert(s) to prepare a Construction Environment Management Plan (CEMP), for the approval of the Minister.			
	The CEMP must include in relation to construction of the proposed facility: a) details on the timing of construction works (accompanied by current and detailed maps)	-	This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	Not Triggered
	The CEMP must include in relation to construction of the proposed facility: b) identification and quantification of all potential impacts associated with noise, vibration, air quality, traffic, light spill, hydrological changes, contamination, and indigenous heritage (including cumulative impacts associated with the DoFs proposed intermodal) upon Commonwealth land. Consideration must be given to people and communities at SME, DNSDC, Defence housing, and the environment more generally in neighbouring bushland areas. Of note, the air quality assessment must quantify all emissions arising from air pollutant sources for which there are established national air quality standards			
	The CEMP must include in relation to construction of the proposed facility: c) the results of further investigations with regard to land contamination and indigenous heritage impacts (specifically, PADs two and three). If adverse impacts are identified details on how such matters will be managed / mitigated must also be provided. Evidence of ongoing consultation with RAPs regarding further investigations for indigenous heritage objects/places must be provided.			
	The CEMP must include in relation to construction of the proposed facility: d) refined details (including implementation timeframes) for the mitigation measures outlined in the EIS (sections 7.4.2, 7.4.3, 7.4.6, 7.4.7, 7.4.8 and 7.4.9) and summarised at Annexure A [of the Approval]			
	The CEMP must include in relation to construction of the proposed facility: e) a commitment to ensure no lights are installed above the height of 40 metres or, the maximum approved height of the intermodal warehouse buildings (whichever is less)			
	The CEMP must include in relation to construction of the proposed facility: f) identification of the trigger values and criteria for all matters mentioned in condition 7(b) (excluding light spill, land contamination and indigenous heritage) that will be adopted for monitoring and managing potential impacts to Commonwealth land			
	The CEMP must include in relation to construction of the proposed facility: g) details of a comprehensive monitoring program (including locations, frequency and duration) for: i. validating the anticipated impacts associated with condition 7(b); and determining the effectiveness of proposed mitigation/management measures			

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>The CEMP must include in relation to construction of the proposed facility:</p> <p>h) provisions to revise the approved CEMP in response to monitoring associated with condition 7(g) including, details of response / contingency mechanisms to address any exceedances of the relevant trigger values</p>			
	<p>The CEMP must include in relation to construction of the proposed facility:</p> <p>i) evidence of consultation with Defence regarding the adequacy of proposed mitigation measures in particular, those measures to mitigate potential light spill impacts upon residential dwellings within SME outside of standard construction hours, and</p>			
	<p>The CEMP must include in relation to construction of the proposed facility:</p> <p>j) details of a complaints handling procedure</p>			
	<p>Commencement of the action may not occur until the CEMP has been approved. The CEMP must be implemented once approved</p>			
Operation Environment Management Plan				
8	<p>For the better protection of Commonwealth land, the person taking the action must engage a suitably qualified expert(s) to prepare an Operation Environment Management Plan (OEMP) for the approval of the Minister.</p>	<p>Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, Rev.18, 13/01/23, SIMTA</p>	<p>The OEMP and associated sub-plans were prepared to address requirements a-l of this condition.</p> <p>On 20/09/19 the DOEE (now DAWE) initially approved the OEMP, OFFMP, ONVMP, CNBMP, OTAMP, OCCS, UDLP Stage 1, UDLP Stage 2.</p> <p>Operations commenced on 17/05/20, after this approval.</p> <p>OEMP has been implemented since the operations started at MPE.</p>	Compliant
	<p>The OEMP must include in relation to operation of the proposed facility:</p> <p>a) identification and quantification of all potential impacts associated with noise, vibration, air quality, traffic and light spill (including cumulative impacts associated with the DoFs proposed intermodal) upon Commonwealth land. Consideration must be given to people and communities at SME, DNSDC , Defence housing, and the environment more generally in neighbouring bushland areas. Of note, the air quality assessment must quantify all emissions arising from air pollutant sources for which there are established national air quality standards</p>	<p>Post Approval Submission (DPHI portal) undated re: submission of OEMP Rev 18</p> <p>Stormwater Infrastructure Operation and Maintenance Plan Moorebank Logistics Park – East Precinct, 23/01/23, SIMTA (the SIOMP), Rev.8</p>		
	<p>The OEMP must include in relation to operation of the proposed facility:</p> <p>b) refined details (including implementation timeframes) for the mitigation measures outlined in the EIS (sections 7.4.2, 7.4.6, 7.4.7, 7.4.8 and 7.4.9) and summarised at Annexure A</p>	<p>Operational Air Quality Management Plan, SIMTA, 23/01/23, Rev. 12</p> <p>Operational Noise and Vibration Management Plan, SIMTA, 24/01/23, Rev.13</p>		
	<p>The OEMP must include in relation to operation of the proposed facility:</p> <p>c) refined details of how heavy vehicles entering and exiting the site will be processed including information on access and circulation both into, and within, the intermodal facility grounds</p>	<p>Operational Traffic and Access Management Plan, SIMTA, 23/01/23, Rev. 14</p>		
	<p>The OEMP must include in relation to operation of the proposed facility:</p> <p>d) measures to ensure no heavy vehicles entering or exiting the intermodal facility park, or wait, on Moorebank Avenue</p>	<p>Operational Waste and Resources Management Plan, SIMTA, 23/01/23, Rev. 11</p>		
	<p>The OEMP must include in relation to operation of the proposed facility:</p> <p>e) identification of the trigger values and criteria for all matters mentioned in condition 8(b) (excluding light spill) that will be adopted for monitoring and managing potential impacts to those Commonwealth land</p>	<p>Operational Flora and Fauna Management Plan, SIMTA, 13/01/23, Rev. 09</p> <p>Heritage Interpretation Plan, 27/07/2019</p>		
	<p>The OEMP must include in relation to operation of the proposed facility:</p> <p>(f) details of a comprehensive monitoring program (including locations, frequency and duration) for:</p> <p>i. validating the anticipated impacts associated with condition 8(b); and</p> <p>ii. determining the effectiveness of mitigation/management measures (including the success of public transport incentives)</p>	<p>Operational Emergency Response Plan, SIMTA, 24 January 2023, Rev.15</p> <p>Bushfire Emergency and Evacuation Plan Moorebank Precinct East Stage 2, SIMTA, 19/03/2021</p>		
	<p>The OEMP must include in relation to operation of the proposed facility:</p> <p>g) provisions to revise the approved OEMP in response to monitoring associated with condition 8(f) including, details of response / contingency mechanisms to address any exceedances of the relevant trigger values</p>	<p>Workplace Travel Plan, SIMTA, 13 November 2019 and 26 March 2020</p>		
	<p>The OEMP must include in relation to operation of the proposed facility:</p>			

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	h) evidence of consultation with Defence regarding the adequacy of proposed mitigation measures	Post Approval Submission (DPHI portal) undated re: submission of OEMP Rev.18 to DPHI Letter DPHI to LOGOS, 7/9/23 (approval of OMPs)		
	The OEMP must include in relation to operation of the proposed facility: i) details of a complaints handling procedure			
	Commencement of operations may not occur until the OEMP has been approved. The OEMP must be implemented once approved.			
9	For the better protection of Commonwealth land, the person taking the action must enter into a written agreement with Defence that specifies the use and ongoing maintenance of Moorebank Avenue. Prior to commencement of the action the person taking the action must provide a copy of that agreement to the Department	-	This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	Not Triggered
Administrative conditions				
10	Within one month after the commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement.	-	This audit addresses the operational requirements only. Audits for the construction phases for EPBC 2011/ 6299 do not form part of this audit.	Not Triggered
11	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement any management plan or agreement required by this approval, and make them available upon request to the Department	Evidence referred to in the Audit tables for SSD 6766 and SSD 7628 Interview with auditees 10/05/21	Records pertaining to operations were readily available to the auditor. It is understood that no audits have been required by DAWE for the operational period.	Compliant
	Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval.			
	Summaries of audits will be posted on the Department's website. The results of audits may also be publicized through the general media.			
12	Within three months of every 12-month anniversary of the commencement of the action, the person taking the action must publish a report (the Compliance Report) on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans or agreements as specified in the conditions.	Commonwealth Compliance Report 23/6/2020 – 22/6/2021, dated 27/9/2021 Commonwealth Compliance Report 23/6/2021 – 22/6/2022, dated 19/9/2022 Commonwealth Compliance Report 23/6/2022- 22/6/2023, dated 17/11/2023 https://moorebankintermodalprecinct.com.au/precincts/moorebank-precinct-east/?search=MPE+Compliance	The Annual Compliance Reports relevant to the audit period have been prepared consistent with this condition, provided to DCCEEW and are available on the Project website. Sighted: <ul style="list-style-type: none">- Commonwealth Compliance Report 23/6/2020 – 22/6/2021, dated 27/9/2021- Commonwealth Compliance Report 23/6/2021 – 22/6/2022, dated 19/9/2022- Commonwealth Compliance Report 23/6/2022- 22/6/2023, dated 17/11/2023. Note: There is no evidence to demonstrate that DAWE provided proof of the date of publication at the same time as the publication of the Compliance Reports.	Compliant
	Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the Compliance Report is published.			
	The person taking the action must continue to annually publish the Compliance Report until such time as agreed in writing by the Minister.			

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
13	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister.	Interview with auditees 8-9/5/24	EPBC 2011/6229 have not requested an audit against the EPBC conditions, and no audits have been required by DAWE for operations.	Not Triggered
	The independent auditor must be approved by the Minister prior to the commencement of the audit.			
	Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister			
14	If the person taking the action wishes to carry out any activity otherwise than in accordance with any management plan as specified in the conditions, the person taking the action must submit to the Department for the Minister's written approval a revised version of that management plan.	Letter, DAWE to Tactical 29/04/20 (DAWE approval of updated OEMP, OFFMP, ONVMP, CNBMP, OAQMP, OTAMP, OCCS).	The OEMP and sub-plans were approved by DAWE on 29/04/20. These updated plans are being implemented on site. A variation to CoA 14 was submitted to DCCEEW on 14 April 2022 seeking for the project to implement revised management plans without seeking the Minister's approval if the revision does not constitute a new or increased impact. The variation was approved by DCCEEW within the reporting period on 27 June 2022.	Compliant
	The varied activity shall not commence until the Minister has approved the varied management plan in writing. The Minister will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time.			
	If the Minister approves the revised management plan, then that management plan must be implemented in place of the management plan originally approved			
15	If the Minister believes that it is necessary or convenient for the better protection of Listed Threatened species or the environment on Commonwealth land to do so, the Minister may request that the person taking the action make specified revisions to any management plan, as specified in the conditions and submit the revised management plan for the Minister's written approval.	Interview with auditees 8-9/5/24	It is understood that no request or direction has been made by DAWE for operations.	Not Triggered
	The person taking the action must comply with any such request. The revised approved management plan must be implemented.			
	Unless the Minister has approved the revised management plan, then the person taking the action must continue to implement the management plan originally approved, as specified in the conditions			
16	If, at any time after five years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister	Interview with auditees 8-9/5/24	Approval was granted in 2016. Operations commenced in 2020.	Compliant
17	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all management plans referred to in these conditions of approval on their website.	https://simta.com.au/mpe-2/ Operational Environmental Management Plan Moorebank Logistics Park – East Precinct, Rev.18, 13/01/23, SIMTA OEMP and Sub-plans published on the website	The current approved OEMP and management sub-plans are available on the website. Note: The auditor could not verify that the management plans were published within one month of being approved.	Compliant
	Each management plan must be published on the website within one month of being approved			
Notes	Management plans referred to in conditions 5 to 8 may be re-organised for administrative efficiency provided that all specified requirements are addressed and that each document is submitted with a clear description of the condition(s) it is intended to satisfy. For example, management plans may be further aggregated or disaggregated by construction stage, geographic area or management theme (including by 'species' in the case of condition 6). Where a plan is used to satisfy the requirements of both the State and the Commonwealth, that plan must clearly articulate where each of the Commonwealth's conditional criteria have been addressed within that plan.	Refer response to condition 8	Refer response to condition 8	Compliant



APPENDIX D – PLANNING SECRETARY AGREEMENT OF INDEPENDENT AUDITORS

Department of Planning, Housing and Infrastructure

NSW Planning ref: SSD-7628-PA-249

Mark Howley

SPM

The Trustee for Moorebank Industrial Warehouse Trust

Cammeraygal Country

124 Walker Street

North Sydney NSW 2060

22/04/2024

Sent via the Major Projects Portal only

Subject: Moorebank Precinct East Stage 2 Application - Audit Team Endorsement

Dear Mr Howley

Reference is made to your post approval matter, SSD-7628-PA-249, request for the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Audit of the Moorebank Precinct East Stage 2 Application, submitted as required by Schedule 2, Condition C18 of SSD-7628 as modified (the consent) to NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 17 April 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 Condition C18 of Schedule 2 of the consent, and as nominee of the Planning Secretary, I endorse the following independent audit team of WolfPeak Pty Ltd:

- Ms Ana Maria Munoz Acosta, Lead Auditor
- Mr Ricardo Prieto-Curiel, Auditor

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken, and finalised in accordance with the conditions of consent. Failure to meet these requirements will require revision and resubmission. NSW Planning recommends that the auditor also refer to the Independent Audit Post Approval Requirements (IAPAR) 2020:

[Independent Audit – Post Approval Requirements – Requirement 2 – May 2020 \(nsw.gov.au\)](https://www.dphi.nsw.gov.au/independent-audit-post-approval-requirements-requirement-2-may-2020)

Department of Planning, Housing and Infrastructure



Notwithstanding the endorsement of the above independent audit team for the project, each respective project approval or consent requires a request for endorsement of the independent auditor or audit team be submitted to NSW Planning, for consideration of the Planning Secretary. Each request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor or audit team will be considered.

Should you wish to discuss the matter further, please contact Michelle Larkin, (Senior Compliance Officer) on 02 9860 1402 or email compliance@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'Julia Pope'.

Julia Pope
Team Leader Compliance Metro
As nominee of the Planning Secretary



APPENDIX E – CONSULTATION RECORDS

Ana Maria Munoz Acosta

From: Ana Maria Munoz Acosta
Sent: Wednesday, 17 April 2024 9:26 AM
To: compliance@planning.nsw.gov.au
Cc: Mark Howley; Ricardo Prieto-Curiel
Subject: Moorebank Intermodal Precinct East (SSD6766 and SSD7628) - Operational Independent Audit

Dear Sir/Madam,

I am one of the certified auditors engaged to undertake the Operational Independent Audit of the Moorebank Intermodal Precinct East (SSD6766 and SSD7628) Projects. Whilst we are waiting for the Department of Planning, Housing and Infrastructure (the Department)'s approval of the audit team, we have commenced the audit process in order to meet the required audit timeframes under SSD6766 and SSD7628.

I am currently preparing to undertake the Operational Independent Audit of the Projects (Stage 1 and 2). The audit is required to be conducted in accordance with SSD6766 conditions G16, SSD7628 condition C18 and the Department's 2018 *Independent Audits Post Approval Requirements* (or IAPAR).

The Consents are available at the following links:

<https://www.planningportal.nsw.gov.au/major-projects/projects/moorebank-intermodal-precinct-east-stage-1>

<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-201806.pdf>

The on-site component of the audit is planned to take place on the **8 of May 2024**, with the report to be submitted to the Department two months afterwards. The audit pertains to post-approval requirements and compliance for the operational phase of the Projects.

In accordance with SSD6766 condition G16(b) and SSD7628 condition C18(b), 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 SSD6766 condition G16 and SSD7628 condition C18) already covers an assessment of each relevant Condition of Consent along with all post approval documents prepared to satisfy the Conditions of Consent, 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 Department confirm:

- if it has any concerns/key issues it would like examined, relating to post-approval requirements and compliance for the operational phase of the Projects.
- 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,

Ana Maria Munoz



E: ammunoz@wolfpeak.com.au

M: 0430 314 557 P: 1800 979 716

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

*At WolfPeak, we live by our values and are committed to building a better future by enabling prosperity, environmental protection and positive stakeholder outcomes. In doing so, **we acknowledge the Traditional Owners of Country and all Aboriginal and Torres Strait Islander people with whom we collaborate with, and respect their continuous connection to the land, waters and community.** We commit to amplifying their voices in all aspects of our business and recognise their continued custodianship over the lands that have built modern Australia.*

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Ana Maria Munoz Acosta

From: Ana Maria Munoz Acosta
Sent: Wednesday, 8 May 2024 6:28 PM
To: info@epa.nsw.gov.au; info@environment.nsw.gov.au; LCC
Cc: Mark Howley
Subject: Moorebank Intermodal Precinct East (SSD6766 and SSD7628) - Operational Independent Audit

Dear Sir/Madam,

I am one of the Department of Planning and Environment (the Department) approved Independent Auditors on the Moorebank Intermodal Precinct East (SSD6766 and SSD7628) Project. We have commenced the audit process in order to meet the require audit timeframes under SSD6766 and SSD7628.

I am currently preparing to undertake the Operational Independent Audit of the Project (Stage 1 and 2). The audit is required to be conducted in accordance with SSD6766 conditions G16, SSD7628 condition C18 and the Department's 2018 *Independent Audits Post Approval Requirements* (or IAPAR).

The Consents are available at the following links:

<https://www.planningportal.nsw.gov.au/major-projects/projects/moorebank-intermodal-precinct-east-stage-1>

<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-201806.pdf>

The on-site component of the audit is taking place on the **8-9 of May 2024**. The audit pertains to post-approval requirements and compliance for the operational phase of the Projects.

We kindly request your input on any key issues relating to post-approval requirements and compliance, any concerns in relation to the project operational 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,

Ana Maria Munoz

Lead Auditor – Risk, Audit & Compliance



E: ammunoz@wolfpeak.com.au

M: 0430 314 557 P: 1800 979 716

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

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Ana Maria Munoz Acosta

From: Lilyan Abosh <AboshL@liverpool.nsw.gov.au>
Sent: Friday, 31 May 2024 10:28 AM
To: Ana Maria Munoz Acosta
Subject: RE: Moorebank Intermodal Precinct East (SSD6766 and SSD7628) - Operational Independent Audit

You don't often get email from aboshl@liverpool.nsw.gov.au. [Learn why this is important](#)

Hi Ana,

Hope you are well.

To provide you with an update, I have been advised by our Environmental Management and Environmental Health team that they have no matters to raise. Traffic response however is still pending.

Kind regards,

Lilyan Abosh

Acting Senior Strategic Planner



02 8711 7631 | | AboshL@liverpool.nsw.gov.au

Customer Service: 1300 36 2170 | 33 Moore Street Liverpool, NSW 2170, Australia



www.liverpool.nsw.gov.au



We acknowledge the traditional custodians of the land that now resides within Liverpool City Council's boundaries, the Darug and Dharawal nations.

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From: Lilyan Abosh
Sent: Wednesday, May 22, 2024 10:23 AM
To: Ana Maria Munoz Acosta <ammunoz@wolfpeak.com.au>
Subject: RE: Moorebank Intermodal Precinct East (SSD6766 and SSD7628) - Operational Independent Audit

Hi Ana,

Thank you for your email.

Unfortunately, this matter has just landed on my desk figuratively speaking, and I have sent out referrals for feedback this morning. I will endeavour however to provide a response to you by COB 30 May.

Kind regards,

Lilyan Abosh

Strategic Planner



We acknowledge the traditional custodians of the land that now resides within Liverpool City Council's boundaries, the Darug and Dharawal na

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From: Ana Maria Munoz Acosta <ammunoz@wolfpeak.com.au>

Sent: Wednesday, May 8, 2024 6:28 PM

To: info@epa.nsw.gov.au; info@environment.nsw.gov.au; LCC <LCC@liverpool.nsw.gov.au>

Cc: Mark Howley <mhowley@tacticalgroup.com.au>

Subject: Moorebank Intermodal Precinct East (SSD6766 and SSD7628) - Operational Independent Audit

Dear Sir/Madam,

I am one of the Department of Planning and Environment (the Department) approved Independent Auditors on the Moorebank Intermodal Precinct East (SSD6766 and SSD7628) Project. We have commenced the audit process in order to meet the require audit timeframes under SSD6766 and SSD7628.

I am currently preparing to undertake the Operational Independent Audit of the Project (Stage 1 and 2). The audit is required to be conducted in accordance with SSD6766 conditions G16, SSD7628 condition C18 and the Department's 2018 *Independent Audits Post Approval Requirements* (or IAPAR).

The Consents are available at the following links:

<https://www.planningportal.nsw.gov.au/major-projects/projects/moorebank-intermodal-precinct-east-stage-1>

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The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-201806.pdf>

The on-site component of the audit is taking place on the **8-9 of May 2024**. The audit pertains to post-approval requirements and compliance for the operational phase of the Projects.

We kindly request your input on any key issues relating to post-approval requirements and compliance, any concerns in relation to the project operational 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,

Ana Maria Munoz

Lead Auditor – Risk, Audit & Compliance



E: ammunoz@wolfpeak.com.au

M: 0430 314 557 P: 1800 979 716

Gadigal Country

Suite 2, Level 10, 82 Elizabeth St

Sydney NSW 2000

At WolfPeak, we live by our values and are committed to building a better future by enabling prosperity, environmental protection and positive stakeholder outcomes. In doing so, we acknowledge the Traditional Owners of Country and all

Aboriginal and Torres Strait Islander people with whom we collaborate with, and respect their continuous connection to the land, waters and community. We commit to amplifying their voices in all aspects of our business and recognise their continued custodianship over the lands that have built modern Australia.

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From: [Thomas D'arcy](#)
Sent: Monday, 1 July 2024 2:40 PM
To: [Ana Maria Munoz Acosta](#)
Subject: Fw: Requested response to Independent Auditors on the Moorebank Intermodal Precinct East (SSD6766 and SSD7628) Project

You don't often get email from thomas.darcy@tsariley.au. [Learn why this is important](#)

Hi Ana,

Please see the feedback from one of the CCC members.

I'm not sure if this aligns with the expected responses? Feel free to touch base with Michael if additional information is required.

Thanks
Tom

Thomas D'arcy
Senior Consultant



E: thomas.darcy@tsariley.au
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TSA Riley acknowledges the Aboriginal and Torres Strait Islander peoples of Australia, the Traditional Owners of the lands and waters where our team live and work. We pay our respects to Elders past, present and emerging.

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From: michael russell <russma7@gmail.com>
Sent: 01 July 2024 14:33
To: Thomas D'arcy <thomas.darcy@tsariley.au>
Subject: Re: Requested response to Independent Auditors on the Moorebank Intermodal Precinct East (SSD6766 and SSD7628) Project

Hi Tom,
Thank you for this opportunity to respond.
I am not sure if this fits within the criteria of the audit so please forgive me.

In the original consultation and directions given regarding the approval of the project, a condition of the type of Rolling Stock and Engines was given saying that within a period of time new infrastructure was to be provided. There seems to be a considerable number of older rolling stock passing by and I would like confirmation that the new Rolling stock (wagon, trays etc) and Engines are in the procurement stages and date of implementation can be advised. Secondly the height of the lighting towers along the rail siding seems to be excessively high . As this project is supposed to be of cutting edge technology to international practices I note that many of the new intermodals have a policy of lower poles so as to prevent light spill and sustainability. The idea of a few large poles flooding large areas has generally been replaced with many lower poles at ground level lighting up the area when movement has been detected. This is a far more practical solution to prevent the light spill that is being experienced by the residential neighbours. We were advised during the design process that light spill would be address and I cannot recall at any time the residents or CCC being advised that there would be such lighting towers installed. Thirdly, the occupation of the nest for native wildlife. There were many trees which housed thousands of native birds and yet only a few nest boxes were installed by the project and to my knowledge there has only been the one report which showed many boxes were empty or in poor condition.. It would be nice to get an update projects performance and if any of the newer internal nesting boxes have been installed

Thanking you
Michael Russell
0407231244

From: [Jeff Thornton](#)
Sent: Tuesday, 2 July 2024 4:30 PM
To: [Ana Maria Munoz Acosta](#); [colin.gellatly](#)
Subject: Fwd: Independent Environmental Audit of Moorebank Intermodal Project (SSD6766 and SSD7628)

You don't often get email from jeffthornt@gmail.com. [Learn why this is important](#)

not sure if my first attempt to email you was successful

----- Forwarded message -----

From: Jeff Thornton <jeffthornt@gmail.com>
Date: Tue, Jul 2, 2024 at 3:53 PM
Subject: Independent Environmental Audit of Moorebank Intermodal Project (SSD6766 and SSD7628)
To: <ammunoz@wolfpeak.com.au>
Cc: colin.gellatly <colingellatly@hotmail.com>

Hi Ana Maria,

My understanding is that the Proponent is required to monitor emissions of particulate matter 2.5 and 10, sulphur and nitrogen oxides and hydrocarbons. Currently, the data provided by the proponent shows that emissions are generally below the recommended levels. The abovementioned emissions are primarily derived from diesel trucks and while truck movements to and from the Intermodal remain at modest levels, emissions too are likely to remain below recommended levels.

To date, the data provided at Community Consultative Committee (CCC) meetings has been primarily sourced from Compliance reports which can take up to 9 months to be released. CCC meetings occur on a 3 monthly basis so feasibly, the data disseminated at meetings can be 12 mths old. Larger daily truck movements are unfolding as the project opens more warehouses and yet under current arrangements, the CCC is only able to access what is essentially obsolete data to determine the project's current environmental performance pertaining to emissions. The emissions data provided is in a simplified graph form and does not provide the data in the usual hourly and 24 hourly methodology. We are therefore unable to compare this emissions data with other emissions data being recorded for the local area.

According to the Community Consultation Committee Guideline -Section 5

The proponent must give the committee (amongst other things) prompt and accurate reports and information on the project including :

- the status of the project
- existing operations
- environmental performance

The proponent must also give (amongst other things) current or relevant copies of:

- results of environmental monitoring
- any other information requested by the committee, chairperson or department that is not financial or commercial in nature.

The proponent must respond to any questions or advice from the committee about the project's environmental performance, complaints, investigations and community relations within 28 days of a committee meeting unless the meeting minutes specify otherwise.

The approval of the Intermodal project relied heavily on both traffic and emissions modelling that is nearly a decade old. As the project is maturing, a proactive approach to allaying community concerns re potential emissions is strongly recommended. Could you please give consideration to ensuring that the CCC be provided with contemporaneous data (not 9 month old data) that reveals the extent of increases in emissions, if any as truck movements increase.

regards

Jeff Thornton
Ph 0457 283 190



APPENDIX F – ATTENDANCE SHEET



INDEPENDENT AUDIT MEETING ATTENDANCE RECORD

PROJECT (NAME AND APPROVAL NUMBER)		MPE Operations (SSD 6766 and SSD 7628)			
LOCATION:		400 Moorbank Ave, Logos Office			
DATE/TIME (Opening Meeting):		3/5/24 - 3:45am	DATE/TIME (Closing Meeting):		9/5/24 - 4:50pm
Lead Auditor:		Ara Maria Munoz	Audit Scope:		SSD 6766, SSD 7628
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE		
			Opening Meeting	Closing Meeting	
Ara Maria Munoz	Lead Auditor	WolfPeak			
Ricardo Prieto-Curien	Lead Auditor	WolfPeak		-	
Mark Howley	Project Manager	Tactical			
MICHAEL BERESFORD	Facilities Manager	Knight Frank		-	
Selina Liang	property manager	Knight Frank		-	
Nathalia Jaques	Assistant Project Manager	Tactical			





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Wauchope office | 17A High Street, Wauchope NSW 2446




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APPENDIX G – SITE INSPECTION PHOTOGRAPHS




No.	Comment	Photograph
1	MPE Site Notice	 <p>A large black and white sign for the Moorebank Intermodal Precinct. The sign features the precinct's logo at the top left. Below the logo, the text 'Moorebank Intermodal Precinct' is displayed. The sign is divided into sections for 'Enquiries & Feedback', 'Construction Hours', and a list of contractors. The 'Enquiries & Feedback' section includes a phone number (1800 986 465), an email address (moorebank@tsamgt.com.au), and a website (moorebank.au). The 'Construction Hours' section lists hours for Monday to Friday (7:00am to 8:00pm) and Saturday (8:00am to 1:00pm). The list of contractors includes Centimark, East Structural & Services Group, Moorebank Port Works, Interstate Technical, Solar panel installation, MPE 400 & 500, MPE 400 & 500 (2/2/2020), MPE Primary Contract 400 & 500, Mulkens Group, Golder Associates, Northrop, Kulkarni, W&P, Maritime Rail, Queensland, Highway Kulkarni, Vaughan Construction, and Bunker & Sons Construction.</p>
2	On-site Detention No.9	 <p>A photograph showing a long, narrow concrete channel or detention basin. The channel is flanked by high concrete walls on both sides. The water level is low, and the concrete surface is wet and reflective. The channel extends into the distance, where a small structure or gate is visible. The sky is overcast.</p>

No.	Comment	Photograph
3	On-site Detention No.1	
4	On-site Detention No.1	
5	On-site Detention No.2	

No.	Comment	Photograph
6	Warehouse 7 (Mainfreight) carpark	
7	Warehouse 7 Water tank	
8	Warehouse 7 warning signage in place at	

No.	Comment	Photograph
9	Rail link between IMEX terminal and Moorebank Avenue (underpass)	
10	Container Noise Barrier at the back Access to heavy vehicles in place	
11	Container Noise Barrier Weight bridge in use during heavy vehicle access	

No.	Comment	Photograph
12	Diesel storage on IMEX Terminal	
13	Access to heavy vehicles and Qube Cranes at the back	

No.	Comment	Photograph
13	Warehouse 3 (Caesarstone)	
14	Warehouse 3 (Caesarstone)	
15	Warehouse 3 (Caesarstone)	



APPENDIX H – DECLARATION FORMS

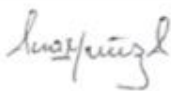
Project Name:	Moorebank Precinct East (MPE)
Consent Number:	SSD 6766 and SSD 7628
Description of Project:	<ul style="list-style-type: none"> The Import Export (IMEX) Terminal A Rail Link connecting the IMEX terminal and the Southern Sydney Freight Line (SSFL) traversing Moorebank Avenue, Anzac Creek and Georges River Associated ancillary infrastructure including signage, lighting, landscaping, water management Warehouse and distribution facilities including warehousing up to 21 m in height, typically ranging in size from 20,000 m² to 62,000 m². Individual warehouses typically comprise the following: <ul style="list-style-type: none"> A freight village including a mix of retail, commercial and light industrial spaces typically up to 15 m in height and varying in size and design An internal road network to enable efficient movement of vehicles, dispatch of freight from the warehouses and transport of containers between the IMEX Terminal and warehouse and distribution facilities.
Project Address:	<p><u>SSD 6766</u></p> <p>Terminal Site: Land generally described as being located on the eastern side of Moorebank Avenue, between Anzac Road and the East Hills Passenger Line, Moorebank (Lot 1 DP 1048263).</p> <p>Rail Corridor: Land generally described as being located between the intermodal site and the East Hills Passenger Line to the south, part of the East Hills Passenger Line, Commonwealth land to the southwest and the northern portion of the Glenfield Waste Disposal Facility to the west, comprising: Lot 2 DP 1197707, Lot 103 DP 1143827, Lot 4 DP 1197707, Lot 104 DP 1143827, Lot 1 DP 825352 Lot 52 DP 517310, Lot 2 DP 825348, Lot 51 DP 515696, Lot 1 DP 1061150, Lot 4 DP 1130937, Lot 6 DP 833516, Lot 101 DP 1143827, Lot 7 DP 833516, Lot 102 DP 1143827, Lot 1 DP 712701, Lot 1 DP 1130937, Lot 1 DP 1197707, Lot 4 DP 1186349, Lot 91 DP 1155962, Lot 5 DP 833516, Georges River, Crown road, Public road reserve of Moorebank Avenue to the north of Anzac Road</p> <p><u>SSD 7628</u></p> <p>Lot 1 DP1048263 Part Lots 1, 2 and 4 DP 1197707 Moorebank Avenue Lot 1 DP 825352</p>
Proponent:	SIMTA (The Trust Company Limited) as LOGOS
Title of Audit	MPE Operational Independent Audit
Date:	24 June 2024

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:

- the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2020)*;
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- 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;
- 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;
- 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
- 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 Proposed Auditor:	Ana Maria Munoz
Signature:	
Qualification:	Bachelor of Industrial Engineering Master Engineering Management Exemplar Global Lead Environmental Auditor (No.115421) Exemplar Global Principal Safety and Quality System Auditor
Company:	WolfPeak Group Pty Ltd