

INDEPENDENT AUDIT REPORT

**MOOREBANK PRECINCT EAST (MPE) STAGE 1 – SSD
6766 – IMEX NO 1**

JANUARY 2024

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ABBREVIATIONS / GLOSSARY

Abbreviation/Term	Description
AEMR	Annual Environmental Management Report
CoC	Condition of Consent
CPESC	Certified Professional in Erosion and Sediment Control
DG	Dangerous Goods
DPE or Department	Former Department of Planning and Environment (note: from 1 January 2024, DPE's planning functions are taken by a new department known as Department of Planning, Housing and Infrastructure (DPHI))
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</i>
EPL	Environment Protection Licence issued under the POEO Act
IA	Independent Audit
IAPAR	Independent Audit Post Approval Requirements (IAPAR), May 2020
MPE	Moorebank Precinct East
OEMP	Operational Environmental Management Plan
POEO	<i>Protection of the Environment Operations 1997</i>
RTS	Response to Submissions
SSD	State Significant Development

EXECUTIVE SUMMARY

This Independent Audit focuses on MPE Stage 1 (IMEX No. 1), State Significant Development (SSD) 6766 (the Project). Consent for the Project SSD 6766 was granted by the NSW Planning Assessment Commission on 12 December 2016 for Stage 1 of the MPE development under Part 4, Division 4.1 (now Division 4.7 as of 1 March 2018) of the *Environmental Planning and Assessment Act 1979*. The SSD 6766 was amended by the NSW Land and Environment Court on the 13 March 2018.

The overall MPE development, comprises an intermodal terminal facility, including the IMEX, rail link connection to Southern Sydney Freight Line, warehouse and distribution facilities, freight village (ancillary site and operational services), stormwater, landscaping, servicing and associated works on the eastern site of Moorebank Avenue, Moorebank. The MPE Stage 1 development specifically involves the construction and operation of the IMEX facility including truck processing, holding 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 objectives of this Independent Audit are to comply with the Independent Audit Program prepared in accordance with SSD 6766 Schedule 2, Condition of Consent (CoC) C4(d), and to verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project.

The Moorebank Precinct East Stage 1 Compliance Tracking Program (SIMTA, June 2018) requires independent environmental audits to be undertaken at annual intervals throughout construction. This is the eighth audit carried out on the MPE Stage 1 IMEX project.

Having been granted consent prior to the issue of the Department of Planning and Environment (now Department of Planning, Housing and Infrastructure) (the Department) document entitled *Independent Audit Post Approval Requirements* (IAPAR), the Project is not required to comply with this document. However, for the sake of consistency across consents on the MIP this Independent Audit also seeks to address the methodologies and reporting requirements from the IAPAR to the extent that they do not contradict the terms of SSD 6766.

Some operations on SSD 6766 commenced in 2020 which are subject to a separate audit program. Such operations do not form part of the scope of this Independent Audit.

This Audit Report presents the findings for the Audit of SSD 6766 construction works undertaken between January and December 2023.

Some construction works associated with IMEX No. 1 on SSD 6766 happened during 2022-2023. The works included excavations in sealed surfaces, placement of re-enforced concrete to increase point loading capacity, construction of container plates and construction of container beams; no other construction works occurred under MPE Stage 1.

The overall outcome of the Audit was positive. Compliance records were organised and available at the time of the site inspection and interview with project personnel on 7 December 2023.

Relevant environmental and compliance monitoring records were collected and reported as required to provide verification of compliance with statutory requirements and the broader Project environmental requirements. Other key strengths noted during the audit included: the site was properly fenced, no incidents or complaints have been reported, records of environmental performance have been maintained e.g., contractor inspections records and the relevant management plans have been reviewed and implemented.

In summary:

- There were 111 CoCs assessed.
- No non-compliances were identified against the CoCs.
- Two observations were raised against conditions E1: Environmental Management Plan from Vaughan Civil kept on site to be internally signed by the relevant project representative; and E18: waste register to be updated to include the waste management facilities name and license number.
- The observation raised in the previous Independent Audit has been closed.

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

1. INTRODUCTION

1.1 Project overview

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

MPE is being developed in three stages:

- Stage 1 (SSD 6766) – Construction and operation of the inter-modal facility including an Import Export terminal (IMEX No. 1) comprising:

Package 1 (The Rail Link):

- The Rail link which includes a connection to the IMEX, and traverses across Moorebank Avenue, Anzac Creek and Georges River prior to connecting to the Southern Sydney Freight Line (SSFL).

Package 2 (The IMEX Facility):

- Truck processing, holding and loading areas – entrance and exit from Moorebank Avenue
- Rail loading and container storage areas – installation of four rail sidings with adjacent container storage area serviced by manual handling equipment initially and overhead gantry cranes progressively.
- Administration facility and associated car parking – light vehicle access from Moorebank Avenue.

Removal of the Disused Rail Spur (DURS) and rehabilitation of the land containing the DURS as required by CoC C23B of the MPE Stage 1 Consent (as amended by the court decision on 13 March 2018).

- Stage 2 (SSD 7628) – Construction and operation of warehouse and distribution facilities and upgrades to approximately 1.5 kilometres of Moorebank Avenue fronting the MPE site.
- Stage 3 – Extension of the IMEX and completion of warehouse and distribution facilities.

This Independent Audit focuses on IMEX No. 1 on MPE Stage 1 Project - SSD 6766. Consent for the Project was granted by the NSW Planning Assessment Commission on 12 December 2016 for the first stage of the MPE development under Part 4, Division 4.1 (now Division 4.7 as of 1 March 2018) of the *Environmental Planning and Assessment Act 1979*. The SSD 6766 was amended by the NSW Land and Environment Court on the 13 March 2028.

Some operations on SSD 6766 commenced in 2020 which are subject to a separate audit program. Such operations do not form part of the scope of this Independent Audit.



Figure 1: MPE Site Overview (Source: CEMP, Moorebank Precinct East Stage1, Package 2 from LOGOS/Aspect, 2 December 2022)

1.2 Project details

Table 1: Project Details

Item	Details
Project Name:	Moorebank Intermodal Precinct East (MPE) Stage 1
Project Application No.:	SSD 6766
Project Address:	Moorebank Ave Moorebank New South Wales Australia 2170
SSD Applicant:	Sydney Intermodal Terminal Alliance (SIMTA now trading as LOGOS)
Project Manager:	RP Infrastructure and Rail Planning Services
Project Contractor:	Vaughan Civil and Martinus
Project Phase:	Construction
Project Activity Summary	Works undertaken during the audit period from January to December 2023 include excavations in sealed surfaces, placement of re-enforced concrete to increase point loading capacity, construction of container plates (saw cutting, coring, formwork, reinforcement, pouring and excavation) and construction of container beams (saw cutting, milling, excavation, FRP and drainage).

1.3 Approval requirements

Condition of Consent (CoC) C4 of the SSD 6766 sets out the requirements for the development of a Compliance Tracking Program, requiring that:

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.

The Program shall include, but not be limited to:

- 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;*
- c) *provision for periodic reporting of compliance status to the Secretary, including but not limited to:*
 - (ii) *a Pre-Construction Compliance Report prior to the commencement of construction,*
 - (iii) *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;*
- d) **a program for independent environmental auditing in accordance with AS/NZS ISO 19011:2014 – Guidelines for Auditing Management Systems.**
- 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, in accordance with conditions C6 and C7 [refer observation in relation to this requirement];*
- 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 is aware of, and comply with, the conditions of this approval relevant to their respective activities.*

The Moorebank Precinct East Stage 1 Compliance Tracking Program (SIMTA, June 2018) requires independent environmental audits to be undertaken at annual intervals throughout construction. This was the eighth audit carried out on the MPE Stage 1 IMEX project.

1.4 The audit team

WolfPeak Pty Ltd was engaged to conduct the audits as per the Compliance Tracking Program. The list of independent auditors who performed the auditing works are shown on the table below.

Table 2: Audit Team

Name	Company	Participation	Certification
[REDACTED]	WolfPeak	Lead Auditor	Master of Engineering Management Exemplar Global Certified Environmental Lead Auditor [REDACTED]
[REDACTED]	WolfPeak	Peer Reviewer	Masters Environmental Toxicology Exemplar Global Certified Environmental Lead Auditor [REDACTED]

Declaration of independence is presented in Appendix B.

1.5 The audit objectives

The objectives of this Independent Audit are to comply with the Independent Audit Program prepared in accordance with SSD 6766 Schedule 2, Condition of Consent (CoC) C4(d), and to verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project.

1.6 Audit scope

This was the eighth Independent Audit carried out on the MPE Stage 1 IMEX project that relates to SSD 6766 construction works covering the period from January 2023 to 7 December 2023 (the audit period).

The Project, having been granted consent in 2016, is not required to comply with the requirements of the Department of Planning Industry and Environment document entitled *Independent Audit Post Approval Requirements 2020* (IAPAR). However, for the sake of consistency and continuity with conditions within future consents, the Project has voluntarily elected to generally align the scope of the Independent Audits with the IAPAR where appropriate, in addition to complying with AS/NZS ISO 19011:2019 - Guidelines for Auditing Management Systems, as required by CoC C4(d), to the extent that they do not contradict the terms of SSD 6766.

The scope of the Independent Audit comprises:

- an assessment of compliance with:
 - CoC applicable to the phase of the development that is being audited;

- all post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans; and
- 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 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 projects during the audit period;
- a review of the status of implementation of previous Independent Audit findings, recommendations, and actions (if any);
- a high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and
- any other matters considered relevant by the auditor or the Department, taking into account relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.

2. AUDIT METHODOLOGY

2.1 Audit process

This Audit was conducted in a manner consistent with AS/NZS ISO 19011:2019 – Guidelines for Auditing Management Systems and the methodology set out in the Department’s IAPAR.

2.2 Audit initiation and scope development

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

No consultation was required for this audit.

2.2.4 Meetings

The opening and closing meetings were held on 7 December 2023 at the construction site with project personnel and WolfPeak auditor. During the opening meeting the objectives and scope of the Independent Audit, the resources required, overview of the project and status of the works and methodology to be applied were discussed. A closing meeting the preliminary audit findings were presented, recommendations (as appropriate) were made, and any post-audit actions were confirmed.

2.2.5 Interviews

The Auditor conducted interviews on the 7 of December 2023 with key personnel involved in Project delivery, including those with responsibility for environmental management, to assist with verifying the compliance status of the development. All other communication was conducted remotely, which included detailed Request for Information (RFI) and auditee responses to the request interviews.

The names of personnel interviewed during the audit are provided in Table 2 below.

Table 3: Name and position of personnel interviewed

Name	Position / Title	Organisation
[REDACTED]	Associate Director – Environment Site Representative	Aspect Environmental (representing LOGOS)
[REDACTED]	Consultant	Aspect Environmental
[REDACTED]	Senior Project Engineer	Vaughan Civil
[REDACTED]	HSEQ Advisor	Vaughan Civil

2.2.6 Site inspection

The on-site audit activities took place on 7 December 2023. The on-site audit activities included an inspection of the entire MPE site and work activities. Works carried out during the inspection included the construction of container plates and container beams. The site was fully demarcated, and the internal parallel road was free of mud and dust. Photos are presented in Appendix C.

2.2.7 Document review

The Independent Audit included investigation and review of Project files, records and documentation that acts as evidence of compliance (or otherwise) with a compliance requirement. The documents sighted are included within Appendix A.

2.2.8 Generating audit findings

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

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

Section 3 and Appendix A present the general audit findings.

2.2.9 Compliance evaluation

The Auditor determined the compliance status of each compliance requirement using the following descriptors from Table 2 of the IAPAR. As set out in Table 1 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.

Status	Description
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 CoCs and their content is adequate.
- have been implemented in accordance with the CoCs.

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

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

2.2.11 Completing the audit

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

3. AUDIT FINDINGS

3.1 Approvals and documents audited, and evidence sighted

The documents audited comprised all the conditions from SSD 6766 applicable to the works being undertaken. The primary documents reviewed prior to and after the site visit are as follows:

- *Development Consent SSD 6766, 12 December 2016 (the Consent)*
- *Moorebank Precinct East Stage 1, Package 2, Construction Environmental Management Plan, IMEX-QPMS-EN-PLN-00000, 2/12/2022 (the CEMP)*
- *Compliance Tracking Program (CTP) Moorebank Precinct East Stage 1, 4 November 2022 (Rev. 6) and 23 March 2023 (Rev. 7) from Aspect/Logos*
- *Moorebank Intermodal Terminal SIMTA Stage 1 (IMEX No.1 & RALP No.1) SSD 6766 – Quarterly ER Report for December 2022 and March, June, and September 2023 from Pitt & Sherry*
- *Environmental Representative MPE S1 - Site Inspection Reports from January to November 2023 from Pitt & Sherry*
- *Moorebank Precinct Intermodal Precinct Complaints Register to 31 October 2023*
- *Environmental Management Plan (EMP) for Container Beams Project No. VC373 from Vaughan Civil, 6 October 2023 Rev. 1.*
- *Noise and Vibration Management Plan, Qube IMEX – Container Beam Installation and Container Plate Installation from Vaughan Civil Pty Ltd*

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

3.2 Previous audit findings

Table 5 presents the status of the previous audit findings (remaining open at the completion of the last audit). The one observation raised in the previous audit has been closed, as the Contractor (Fulton Hogan) working on site at the time is no longer working on site and the recommended action cannot be implemented.

3.3 Summary of Compliance

This section presents a summary of the findings raised from the Independent Audit and the applicant response to each of the findings. Detailed findings against each requirement are presented in Appendix A.

All conditions were demonstrated to be compliant or not triggered during this audit period. In summary:

- There were 111 CoCs assessed.
- No non-compliances were identified against the CoCs.
- Two observations were raised against conditions E1 and E18.

Table 5: Previous Audit findings and actions

Item	Condition No.	Type	Details of item	Proposed or completed action (as reported in the previous audit)	By whom and by when	Status (this audit)
Findings from the 2021 Independent Audit						
IA2021_2	E33	Observation	<p>Requirement: CoC E33 requires a Construction Environmental Management Plan (CEMP) to be prepared and implemented in consultation with the EPA, OEH, DPI Water, DPI Fisheries, and the relevant Council, and for approval by the Planning Secretary. The CEMP is required to detail how environmental performance would be managed and monitored to meet acceptable outcomes.</p> <p>Section 9.5.1 of the CEMP details the monthly environmental reporting to be undertaken by the contractor, including monitoring of:</p> <ul style="list-style-type: none"> • Status of control measures • Update to plans • Erosion and Sediment Control Plans (ESCPs) • Progress against performance indicators • Environmental hazards and incidents • Number of environmental inspections and key outcomes • Number and subject of toolbox talks • Volume of water consumed • Tonnes of waste produced and recycled • Ongoing monthly recycle percentage • Energy consumption. <p>Fulton Hogan prepares a monthly report that covers off most, but not all of the matters required by Section 9.5.1 of the CEMP. For example, the following is not reported:</p> <ul style="list-style-type: none"> • Number of environmental inspections and key outcomes • Number and subject of toolbox talks • Volume of water consumed • Tonnes of waste produced and recycled • Ongoing monthly recycle percentage • Energy consumption. <p>Furthermore, as observed in relation to A1, the location of the Fulton Hogan construction compounds is not consistent with the compound locations shown in Figure 3 of the CEMP. In fact, the northern compound appears to be outside the SSD 6766 project boundary entirely, instead sitting within the SSD 7628 project footprint</p>	<p>Proposed Action: Ensure all future monthly environmental reports cover all items required by Section 9.5.1 of the CEMP.</p> <p>Review the location of construction compounds against the SSD 6766 and SSD 7628 project footprints and formalize the approval process of establishment through a mechanism to be included in the CEMP.</p> <p>Completed Action: Fulton Hogan monthly reports were provided for January to April 2022 and December 2021; however, those reports do not cover all the items as required in the CEMP.</p> <p>It is the opinion of the auditor that the weekly and fortnightly inspection reports presented as part of the RFI evidence do not cover the following items:</p> <ul style="list-style-type: none"> • Environmental inspections key outcomes • Volume of water consumed • Tonnes of waste produced and recycled • Ongoing monthly recycle percentage • Energy consumption. <p>Regarding the location of the construction compound, please refer to comments above.</p>	SIMTA 30/04/21	CLOSED As Fulton Hogan is no longer on site for the audit period this matter is considered closed.

Table 6: Findings from the 2023 Independent Audit

Item	Condition No.	Type	Requirement Details	Audit Finding	Recommended or Completed Action	Status
IA2023_1	E1	Observation	<p><u>Requirement: Approved plans to be onsite</u></p> <p>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.</p>	<p>Observation:</p> <p>The Environmental Management Plan (EMP) from Vaughan Civil (Container Beams Project No. VC373), dated 6 October 2023 (Revision 1.0) was kept on site but there is no evidence that the EMP has been internally approved/signed by the relevant project representative.</p>	<p>Recommendation:</p> <p>Environmental Management Plan (EMP) to be signed by the relevant project representative.</p> <p>Completed Actions: Prior to finalisation of this audit report, a copy of the EMP dated 8/1/24 (Rev. 1) was provided. EMP includes an 'Amendment Register and Document Control' table indicated that Plan was approved by Patrick Pestana.</p>	CLOSED
IA2023_2	E18	Observation	<p><u>Requirement: Waste Management</u></p> <p>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.</p>	<p>Observation:</p> <p>The waste register maintained by Vaughan Civil, presented during the site audit, did not include details of the waste management facilities nor their license number.</p>	<p>Recommendation:</p> <p>Waste Register to be updated to include the relevant waste management facilities' name and license number.</p>	OPEN

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

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

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

The implementation of the CEMP and sub-plans were verified during the site inspection and records review as detailed in Appendix A. The CEMP from Logos for MPE1 was reviewed during December 2022 to update the audit and reporting frequency, SIMTA references, and other minor changes. The Noise and Vibration management plans from Vaughan Civil for the container plate installation and container beam installation have been implemented accordingly. However, it was noted during the audit that the Environmental Management Plan (EMP) from Vaughan Civil kept on site, dated 6 October 2023, has not been internally signed by the relevant project representative.

Based on the evidence presented during the audit, the level of compliance achieved, and the condition of the site during the site it is the Auditor's opinion that the management plans are adequate, implemented and maintained for the works being undertaken.

3.5 Summary of notices from agencies

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

3.6 Other matters considered relevant by the Auditor or DPE

The Auditor has no other matters considered relevant beyond the audit findings presented elsewhere in Section 3 of this Report. The Auditor is not aware of any compliance matters that were raised by the Department during the auditing period.

3.7 Complaints

A complaints register is being maintained for the entire Moorebank Logistics Park development. The register identifies the nature of the complaint, date and time, complainant details, response date and time. The complaints register is issued to the Department on a regular basis.

No complaints were received for MPE1 construction works during the audit period. It was noted that two complaints for MPE Operations (not within the scope of this audit) were recorded on the 30 May 2023 and 21 August 2023 related to noise. Both complaints have been closed. A publicly available complaints register for the entire MLP is available at:

<https://moorebankintermodalprecinct.com.au/wp-content/uploads/2023/11/Moorebank-Intermodal-Precinct-Online-Complaints-document-to-October-2023.pdf><https://simta.com.au/wordpress/wp-content/uploads/2022/11/SIMTA-Online-Complaints-document-to-October-2022.pdf>

3.8 Incidents

The Project has not had any incidents as defined by the Consent during the audit period. However, on the 30 November 2023 an incident classified as 'Class 1' (No impact to the environment and not reportable) happened on site involving the discharging of slurry within the Vactruck on the asphalt beside the discharge pipe. The slurry was cleaned-up, an additional pipe was procured to allow for the area to be de-contaminated and a sediment control tank was installed. As the incident was witnessed by one of the Department's Senior Compliance Officers, on the 1 December 2023, the Department requested the submission of the incident investigation report within 7 days. The incident investigation report was prepared by Vaughan Civil and submitted to the Department on the 7 December 2023.

3.9 Actual vs predicted impacts

Predicted outcomes associated with the construction 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 2014* (SSD 6766 EIS) and section 7 of the *SIMTA Intermodal Terminal Facility – Stage 1 – Response to Submissions, Hyder, September 2015* (SSD 6766 RtS).

Due to the extent of works undertaken during the audit period and their location within the broader MPE area, the actual impacts associated with the Project during the audit period appeared to be as per the predicted in the EIS.

3.10 Key strength and environmental performance

The overall outcome of this audit indicated that compliance was proactively tracked by the key project personnel. The applicable environmental controls were observed to be in place at the site and management of compliance against the SSD conditions was evident.

Relevant environmental and compliance monitoring records were collected and reported as required to provide verification of compliance with statutory requirements and the broader Project environmental requirements.

Other key strengths noted during the audit included:

- The site for MPE Stage 1 was properly demarcated.
- Records of environmental inspections from the contractor and the ER have been maintained.
- CEMP and associated management sub-plans have been reviewed and implemented by SIMTA (Logos).
- No complaints have been reported.
- No non-compliances have been raised during the audited period.

4. CONCLUSIONS

This Independent Audit was completed to satisfy the requirements of SSD 6766 Schedule 2, CoC C4(d). This Audit Report presents the findings for the Independent Audit of SSD 6766 (IMEX No. 1) construction works undertaken between January and December 2023.

The outcome of the Independent Audit was positive. Compliance records were available at the time of the site inspection, and interview with project personnel on the 7 of December 2023. Submission of quarterly reports for Q4 2022 and Q1 to Q3 2023 has been provided to the Department.

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. In summary:

- There were 111 CoCs assessed.
- No non-compliances were identified against the CoCs.
- Two observations were raised against conditions E1: Environmental Management Plan from Vaughan Civil kept on site to be internally signed by the relevant project representative; and E18: waste register to be updated to include the waste management facilities name and license number.
- The observation raised in the previous Independent Audit has been closed.

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

5. LIMITATIONS

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

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

In preparing this Document, WolfPeak has relied upon data, surveys, analyses, designs, plans and other information provided by the Client and other individuals and organisations (the information). Except as otherwise stated in the Document, WolfPeak has not verified the accuracy or completeness of the information. To the extent that the statements, opinions, facts, findings, conclusions and/or recommendations in this Document (conclusions) are based in whole or part on the information, those conclusions are contingent upon the accuracy and completeness of the information. WolfPeak will not be liable in relation to incorrect conclusions should any information be incomplete, incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to WolfPeak.

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

The assessment of actual impacts and those predicted in the Environmental Impact Assessment(s) was a high-level assessment qualitative assessment only. The Environmental Impact Assessment(s) include a voluminous number of studies and predictions that relied on observation, measurement and modelling of the existing environments and potential outcomes arising from the Project (including mitigation measures). Full assessment of the accuracy of these predictions would also require a significant number of studies involving measurement and modelling using actual data points as inputs. Other than the requirements specified in the, to the Auditor's knowledge there are no requirements to undertake such studies and doing so does not form part of this Independent Audit.

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

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

To the best of WolfPeak's knowledge, the facts and matters described in this Document reasonably represent the Client's intentions at the time of which WolfPeak issued the Document to the Client. However, the passage of time, the manifestation of latent conditions or the impact of future events (including a change in applicable law) may have resulted in a variation of the Document and its possible impact. WolfPeak will not be liable to update or revise the Document to take into account any events or emergent circumstances or facts occurring or becoming apparent after the date of issue of the Document.

APPENDIX A – CONDITIONS OF CONSENT

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	<p>The Applicant shall carry out the development generally in accordance with the:</p> <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. 	<p>State Significant Development Application SSD 6766, 12/12/2016.</p> <p><i>SIMTA Intermodal Terminal Facility – Stage 1 – Environmental Impact Statement</i>, Hyder Consulting Pty Ltd, May 2014</p> <p><i>SIMTA Intermodal Terminal Facility – Stage 1 – Response to Submissions</i>, Hyder Consulting Pty Ltd, September 2015</p> <p>Evidence referred to elsewhere in this table.</p> <p>Environmental Representative Site Inspection Reports (Pitt & Sherry) MPES1-SSD 6766 for: 8/12/22, 13/1/23, 25/1/23, 9/2/23, 23/2/23, 9/3/23, 23/3/23, 6/4/23, 4/5/23, 18/5/23, 1/06/23, 15/6/23, 29/6/23, 27/7/23, 10/8/23, 24/8/23 and 2/11/23</p> <p>Assignar HSE inspection for: 12/09/23, 25/10/23, 8/11/23, 6/12/23 completed by VC.</p> <p>Site inspection 7/12/23</p>	<p>Compliance with the consent is assessed through this audit process. No non-compliances were identified, and no harm to the environment was sighted.</p> <p>During the works carried out from January to December 2023, the site was contained, dust suppression using water cart and vac truck were used for dewatering, compacted areas and site inspections were regularly undertaken. Inspection records were sighted.</p> <p>Additionally, it was indicated by the auditee that the works carried out during that period were consistent with the EIS and Rts. Sighted examples of site inspections carried out by the Environmental Representative (Pitt & Sherry) for MPES1 (SSD 6766) on the: 8/12/22, 13/1/23, 25/1/23, 9/2/23, 23/2/23, 9/3/23, 23/3/23, 6/4/23, 4/5/23, 18/5/23, 1/06/23, 15/6/23, 29/6/23, 27/7/23, 10/8/23, 24/8/23 and 2/11/23.</p> <p>Site inspections have been carried out by Vaughan Civil during the construction works carried out from October to December 2023. Inspections are undertaken on a weekly basis: sighted records on Assignar for: 12/09/23, 25/10/23, 8/11/23 and 6/12/23.</p>	Compliant
A2	<p>In the event of an inconsistency between:</p> <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. 	Noted	This audit assessed compliance with the current conditions of consent and the most current version of the documents listed in CoC A1. No inconsistencies were identified in this audit period.	Not Triggered
A3	<p>The Applicant shall comply with any reasonable requirement(s) of the Secretary arising from the Department's assessment of:</p> <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 	<p>Interview with auditees 07/12/2023</p> <p>Email from DPE to Aspect 1/12/2023 re. MPES1 SSD 6766 Concrete incident</p> <p>Incident report submission – Email from Aspect to DPE 7/12/2023</p> <p>Incident Investigation Report from Vaughan Civil 7/12/2023</p>	<p>An incident occurred on the 30/11/2023 re. Vactruck dewatering rainwater from Vaughan Civil site onto the asphalt within the QUBE Terminal. The Vaughan Civil mobilized a clean-up crew prior to any further rainfall occurred in the area. This was considered a Class 1 incident (not requiring notification), however as a DPE Senior Compliance Officer witness the incident, the DPE requested to send an incident investigation report that complies with the Consent Conditions on the 1/12/2023.</p> <p>The incident investigation report was prepared by Vaughan Civil on the 7/12/2023 and submission to the DPE was made on the 7/12/2023.</p>	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	Consent was granted in 2016. It is understood that DPE were notified via email for early works and construction 27 February 2018, with the Project commencing operations in 2020.	Compliant
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 07/12/2023	The auditees are not aware of any disputes between the Applicant and a public authority.	Not triggered
Legal notices				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
A6	Any advice or notice to the consent authority shall be served on the Secretary	Interview with auditees 07/12/2023	The auditees are not aware of any formal legal notices having been issued for MPE 1.	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 https://simta.com.au/mpe-2/ https://moorebankintermodalprecinct.com.au/community/document-library/?precinct=moorebank-precinct-east&instrument_number=stage-1-intermodal-facility-ssd-6766	For the current works no licenses were required. No PEO for scheduling activity for the MPE 1. The major approvals are available on the Project website. The site wide EPL was uploaded to the Site Website.	Not triggered
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	UDLP Revision 11, SIMTA Letter DPIE to Qube, 24/04/20 (approval of UDLP)	This audit period covers the works in 2023 which include excavations in sealed surfaces and the placement of re-enforced concrete to increase point loading capacity; no building work was carried out. During the audited period no other construction works occurred under MPE 1. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements 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 period covers the works in 2023 which include excavations in sealed surfaces and the placement of re-enforced concrete to increase point loading capacity; no building work was carried out. During the audited period no other construction works occurred under MPE 1. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements 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> .	-	Construction works in 2023 did not involve building work. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
Site layout and access				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	-	Construction works in 2023 did not involve building work. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
B5	The Applicant shall ensure that: <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. Detailed plans demonstrating compliance with a)-h) shall be prepared in consultation with RMS and to the satisfaction of the Certifying Authority.	-	Construction works in 2023 did not involve building work or internal roads work. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements 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.	-	Construction works in 2023 did not involve building work or internal roads work. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
Lighting plan				
B7	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: <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. 	-	Construction works in 2023 did not involve building work. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
Public transport				
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 period is from the recommencement of construction activities in 2021 to end of 2023. Audits of construction prior to this time were conducted under a separate program and are complete.	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	
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> .	-	Construction works in 2023 did not involve building work. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements 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.	-	Construction works in 2023 did not involve building work or demolition works. Audits of construction prior to this time were conducted under a separate program and are complete. Works for 2023 are considered only road works. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
Urban design and landscaping				
C3	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: <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; 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.	Urban Design and Landscape Plan, SIMTA, 29/08/19 Letter DPIE to SIMTA, 24/04/20 Letter, DPIE to SIMTA, 05/02/21 (approval of consolidated UDLP)	The UDLP was finalised in August 2019. Conditional approval was granted by DPE on 24/04/2020. No other changes have been identified in the document above.	Compliant
Compliance monitoring and tracking				
C4	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. The Program shall include, but not be limited to: <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; c) provision for periodic reporting of compliance status to the Secretary, including but not limited to: <ul style="list-style-type: none"> i. a Pre-Construction Compliance Report prior to the commencement of construction, ii. Six-monthly, or other timing as agreed by the Secretary, Construction Compliance Reports, for the duration of construction, and 	Compliance Tracking Program, Moorebank Precinct East (SSD 6766), Aspect/Logos, 23/03/2023 Post Approval Document received email re. MPE Stage 1 (SSD 6766) Construction Compliance report (period from Dec 2021 to Dec 2022), 16/03/2023 Project Site Induction No. 373 from VC (PowerPoint presentation) Sighted Hard Copies of Induction register completed and signed by VC, Power, etc from Oct-Dec 2023.	The Compliance Tracking Program has been maintained since 2017. Sighted latest program dated 23/03/2023 prepared by Aspect and approved by Logos. On the 31 May 2022 approval from the RFMA 021 Re- reduced CCR and IEA frequency was received from the ER (Pitt & Sherry). Compliance reports are online. Sighted Report No.10 Dec 2021 – Dec 2022. The 2023 report is currently being prepared. One incident happened on site 30/11/23 but was classified class 1 (not reportable); however, the DPE requested an incident report to be submitted within 7 days. Incident investigation report was prepared and submitted to DPE on the 7/12/2023. This will be included in the next Compliance Reporting period. No non-compliances identified by Project team for MPE 1.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> iii. a Completion Compliance Report within one month of completion of the construction; d) a program for independent environmental auditing in accordance with AS/NZS ISO 19011:2014 – Guidelines for Auditing Management Systems; 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, in accordance with conditions C6 and C7; 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>Moorebank Precinct East (SSD 6766) Stage 1: Compliance Report No.10 from Dec 2021 – Dec 2022 (8/3/2023)</p> <p>Email from DPE to Aspect 1/12/2023 re. MPES1 SSD 6766 Concrete incident</p> <p>Incident report submission – Email from Aspect to DPE 7/12/2023</p> <p>Incident Investigation Report from Vaughan Civil 7/12/2023</p> <p>Interview with auditees 07/12/2023</p>	<p>Employees and subcontractors are required to undergo the site induction. The induction presents limited information relevant to the consent, the scope of works being undertaken is minimal, with low risk and is confined internal to the site.</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. 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 i) details of and proposed mitigation measures for the long-term management of the rail link (e.g., subsidence or gas issues). <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>	-	<p>Works during 2023 did not involve activities with the rail link. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered
C6	<p>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.</p>	-	<p>Works during 2023 did not involve activities with the rail link. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements 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
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.	-	Works during 2023 did not involve activities with the rail link. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
C8	The subject site is to be remediated in accordance with: <ul style="list-style-type: none"> a) The approved Remedial Action Plan; b) <i>State Environmental Planning Policy No. 55 – Remediation of Land</i>; and c) The guidelines in force under the <i>Contaminated Land Management Act</i>. 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. 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> . 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.	-	Works during 2023 did not involve activities with the rail link. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements 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.	-	Works during 2023 did not include new stormwater. Audits of construction prior to this time were conducted under a separate program and are complete. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements 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.	-	Works during 2023 did not involve activities with in-water works. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
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.	-	Works during 2023 did not involve bridge construction activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements 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.	-	Works during 2023 did not involve activities with in-water works. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
Heritage				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	-	Works during 2023 did not involve construction activities affecting store buildings. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements 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.	-	Works during 2023 did not involve construction activities affecting store buildings. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
C15	Prior to the commencement of pre-construction and construction activities affecting Aboriginal site MA14, the Applicant shall: <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). 	-	Works during 2023 did not involve construction activities affecting aboriginal sites. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements 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 required. The cost of any such arrangements shall be borne by the Applicant, or as otherwise agreed between the parties.	-	Works during 2023 did not involve construction activities affecting utilities, services, and other infrastructure. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
Pre-construction dilapidation report				
C17	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: <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). 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.	-	Works during 2023 did not involve construction activities on local public roads, cycle ways, footpaths, and other utilities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements 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.	-	Works during 2023 did not involve construction activities on local public roads, cycle ways, footpaths, and other utilities. Audits of construction prior to this time were conducted under a separate program and are complete.	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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>	-	<p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p> <p>Works during 2023 did not involve construction activities on local public roads, cycle ways, footpaths, and other utilities. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	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.	-	<p>Works during 2023 did not involve construction activities on the rail link corridor. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	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.	-	<p>Works during 2023 did not involve construction activities on the George River bridge. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	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>	-	<p>Works during 2023 did not involve construction activities on the George River bridge. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered
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.	-	<p>Works during 2023 did not involve construction activities on the railway corridor. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered
C23A	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>Works during 2023 did not involve construction activities on the railway corridor. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements 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>a) the identification of the extent and types of habitats that would be lost or degraded as a result of the final design of the SSD;</p> <p>b) the objectives and biodiversity outcomes to be achieved;</p> <p>c) the final suite of the biodiversity offset measures selected and secured in consultation with OEH;</p> <p>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:</p> <p>e) the monitoring of the condition of species and ecological communities at offset (including translocation) locations;</p> <p>f) the method for the monitoring program(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites;</p> <p>g) provisions for the annual reporting of the monitoring results for a set period of time as determined in consultation with the OEH; and</p> <p>h) timing and responsibilities for the implementation of the provisions of the Package</p> <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 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> <p>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</p> <p>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.</p>	<p>Site inspection 07/12/2023</p> <p>Interview with auditees 07/12/2023</p>	<p>Removal of the Disused Rail Spur (DURS) had yet to commence at the time of the audit.</p>	<p>Not triggered</p>

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>The Package shall be consistent with the NSW Biodiversity Offsets Policy for Major Projects (OEH 2014), unless otherwise agreed by the Secretary.</p> <p>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> <p>Nothing in this condition requires the Applicant to amend the biobanking agreement application lodged with OEH in February 2017.</p>			
Transport and access				
C24	<p>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).</p>	-	<p>Works during 2023 did not involve construction activities on the vehicle access points on public roads. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered
C25	<p>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.</p>	-	<p>Works during 2023 did not involve construction activities on new traffic signals. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered
C26	<p>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.</p>	-	<p>Works during 2023 did not involve construction activities on new traffic signals. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered
Rail link noise barrier design contingency				
C27	<p>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.</p>	-	<p>Works during 2023 did not involve construction activities on the rail link. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered
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> <p>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;</p>	<p>Community Communication Strategy Moorebank Precinct East Stage 1, Package 2, SIMTA 11 January 2019</p> <p>OOHW IMEX No.62 (22-25/09/2023) Martinus installation of track turnout, signal civil works</p> <p>OOHW IMEX No.63 (18/09/23 – 27/10/23) Container Plate Installation from Vaughan</p>	<p>The Communications Strategy was developed and approved prior to the current audit period.</p> <p>There have been no specific notifications for the recommencement of construction on SSD 6766 due to the low impact nature of the work (refer Communication Strategy Section 7.1). Upon observation of the works, there is unlikely to be any community impact arising from these works.</p> <p>Three (3) OOHW (low impacts works) were undertaken during the audit period which were confined to the site with low impacts on nearby receivers, no complaints</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>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;</p> <p>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;</p> <p>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</p> <p>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>	<p>Civil</p> <p>OOHW No.64 (29/11/23 – 19/2/23) Container Beam Installation. Noise and Vibration Mgt Plan from Vaughan Civil (low impacts)</p> <p>Site inspection 7/12/2023</p> <p>CCC meetings 18/5/2023, 24/8/23</p>	<p>received. Sighted:</p> <ul style="list-style-type: none"> - OOHW IMEX No.62 Installation of track turnout, signal civil works from Martinus – email sighted 2/8/23 explaining the type of works (low impact) not requiring a CNVIS. - OOHW IMEX No.63 Container Plate Installation (low impact works) - OOHW No.64 Container Beam Installation (low impact works) <p>Note, that all out of hours works were low impact and did not require notification on website.</p> <p>CCC meetings continue quarterly attendance from Logos, TSA, Council, Aspect, RAI, Community Reps, etc. Sighted minutes for 18/5/2023 and 24/08/2023. Next meeting 7/12/2023.</p> <p>Note: Meeting Minutes for the CCC meeting carried out on the 24 August 2023 have not been posted in the project website.</p>	
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; b) a postal address to which written complaints and enquires may be sent; c) an email address to which electronic complaints and enquiries may be transmitted; and d) a mediation system for complaints unable to be resolved. <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>https://simta.com.au/contact-us/</p> <p>Complaints register current to 31/10/23 (publicly available, summary issued to DPE and complaints management system extract)</p>	<p>The website contains the relevant information.</p> <p>The phone line remains the same and is managed by the project manager from TSA mgt.</p> <p>Complaints are recorded for the whole precinct. Where possible the complaint is attributed to an individual SSD within the MLP development. According to the complaints register two noise complaints were attributable to SSD 6766 MPE 1 – but this was for the Operations Phase. Both complaints were investigated and closed out as it was found that no works were carried out at the time of the noise complaints.</p> <p>There have been no specific notifications for the construction work on SSD 6766 due to the low impact nature of the work. The OOHW undertaken during the audit period were completely confined to the site with no impacts on nearby receivers.</p>	Compliant
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 10002:2006 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 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>Email SIMTA to the ER and DPIE, 23/08/21, 15/11/21, 29/11/21, (issue of the complaints register)</p> <p>Complaints register current to 31/10/2023 (publicly available, summary issued to DPE and complaints management system extract)</p>	<p>Precinct wide complaints register is issued to the ER and Department.</p> <p>The register identifies the nature of the complaint, date and time, complainant details, response date and time.</p> <p>No complaints were received in relation to SSD 6766 construction carried out during 2023. Two noise complaints were recorded for the Operations Phase.</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> <ul style="list-style-type: none"> a) information on the current implementation status of the SSD; 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; 	<p>https://simta.com.au/</p> <p>https://simta.com.au/mpe-2/</p> <p>https://simta.com.au/project-wide/</p> <p>https://simta.com.au/contact-us/</p>	<p>There are three pages within the overarching webpage that, in combination, address requirements a) – g) of this condition.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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 			
PART E CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
Approved plans to be onsite				
E1	<p>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.</p>	<p>Aconex document register, PIWE https://simta.com.au/mpe-2/</p> <p>Moorebank Precinct East Stage 1, Package 2, Construction Environmental Management Plan (CEMP), IMEX-QPMS-EN-PLN-00000, 2/12/2022, Rev.19, SIMTA</p> <p>EMP dated 6/10/23 (no signatures) from Vaughan Civil (Container Beams Project No. VC373) Rev.1</p> <p>Updated EMP dated 08/01/24, Vaughan Civil (Container Beams Project No. VC373) Rev.1</p> <p>Email from Vaughan Civil to RPS (Qube Rep.) with copy of the EMP and other sub-plans 21/10/23</p> <p>Environmental Management Plan (EMP) for IMEX West, 28/11/2022 Rev.0, from Martinus</p> <p>Letter from Pitt & Sherry re. MPE1 RFMA IMEX West Martinus Rail Site Offices and Laydown Compound – SSD 6766 approval of updates on the CEMP, 1/12/2022</p>	<p>Approved plans are transmitted by Aconex and within the document register. All staff and subcontractors have access to the Aconex.</p> <p>The MPE Stage 1, CEMP was last updated on the 2/12/2022 (Rev.19).</p> <p>The EMP for IMEX West dated 28 November 2022 Rev.0, was approved on the 31 March 2023. Plan was developed for the works carried out by Martinus (install and commission rail, pavement, stormwater and terminal infrastructure). This contractor is no longer on site.</p> <p>EMP from Vaughan Civil was prepared on the 6/10/23 (hard copy not been signed). Currently being reviewed after the incident that happened on the 30/11/23, version 2.0 12/2023.</p> <p>Observation: The EMP from Vaughan Civil (Container Beams Project No. VC373), dated 6 October 2023 (Rev. 1) was kept on site but there is no evidence that the EMP has been internally approved/signed by the relevant project representative.</p> <p>Prior finalisation of this audit report, a copy of the EMP dated 8/1/24 (Rev. 1) was provided. EMP includes an 'Amendment Register and Document Control' table indicated that Plan was approved by Patrick Pestana.</p> <p>For third parties, the website is used as the document register.</p>	Compliant
Site notice				
E2	<p>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:</p> <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. 	<p>Site inspection 7/12/2023</p> <p>Refer to Photo 1 in Appendix B</p>	<p>It was noted that there is no site notice on Vaughan Civil site, however, the works being undertaken on site for SSD 6766 are completely confined to the site and the perimeter cannot be access by the public.</p> <p>There is a Moorebank Precinct sign across the project. Refer to photo 1 in Appendix B.</p>	Compliant
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.	https://simta.com.au/contact-us/ Site inspection 7/12/2023 Refer to Photo 1 in Appendix B	The phone line was tested. No issues observed. Moorebank Precinct sign across the project was sighted containing the 24-hours phone number. Refer to photo 1 in Appendix B.	Compliant
Environmental Representative				
E4	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: <ol style="list-style-type: none"> be the principal point of advice in relation to the environmental performance of construction; 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; 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; ensure that environmental auditing is undertaken in accordance with the Applicant's Environmental Management System(s); 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; be given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts; and 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. 	DPIE post approval lodgement records 07/12/21 and 07/09/21 Appointment of the nominated ER accepted by DPE on 21/12/2016. Alternate ER appointed on the 22/11/2021. Environmental Representative Site Inspection Reports (Pitt & Sherry) MPES1-SSD 6766 for: 8/12/22, 13/1/23, 25/1/23, 9/2/23, 23/2/23, 9/3/23, 23/3/23, 6/4/23, 4/5/23, 18/5/23, 1/06/23, 15/6/23, 29/6/23, 27/7/23, 10/8/23, 24/8/23, 2/11/23 Meeting Minutes for the ER Meeting No. 143, conducted, 30/11/23. Quarterly Reports for MPE1: <ul style="list-style-type: none"> - Q4: December 2022 sent on 4/1/2023 to DPE. - Q1: March 2023 sent on the 5/4/2023 to DPE. - Q2: June 2023 sent on 14/7/2022 to DPE. - Q3: September 2023 sent on 6/10/2023 to DPE. Moorebank Precinct East Stage 1, Package 2, Construction Environmental Management Plan (CEMP), IMEX-QPMS-EN-PLN-00000, 2/12/2022, Rev.19, SIMTA Letter from Pitt & Sherry re. MPE1 RFMA 21 CEMP and CTP update approval, 31/05/2022	The appointment of the nominated Environmental Representative was accepted by DPE on 21/12/2016. An alternate ER was appointed on the 22/11/2021. The ER (Pitt & Sherry) continues to be engaged on the Project. Chris Jack (ER) or Adam Bishop (Alternate ER) complete fortnightly inspections. All issues are raised and tracked to Resolution. Site inspections have been carried out when there were works under MPE1. Inspections reports within the audit period were presented a follow: ER site inspection reports were sighted for December 2022, and from January to November 2023. Meeting Minutes for the ER Meeting No. 143, conducted on the 30/11/23, it happens fortnightly. Quarterly Reports for MPE1 are prepared. Sighted report for Q4 2022, Q1 to Q3 2023. CEMP for MPE Stage 1 was last update on the 2/12/2022 (Rev.19). Approval from ER was received on the 31/5/2022.	Compliant
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.	Moorebank Intermodal Terminal SIMTA Stage 1 (IMEX No.1 & RALP No.1) SSD 6766 – Quarterly ER Report (from Pitt & Sherry) for: December 2022 and March, June, September 2023 Emails from DPE acknowledging the receipt of MPE S1 ER Quarterly Reports for: Dec 2022 – 4/1/2023 Mar 2023 - 5/4/2023 Jun 2023 - 14/07/2023 Sep 2023 - 6/10/2023 Email to DPE Re. Request for extension of submission of Q2 report dated 30/6/2023.	ER (Pitt & Sherry) issues the quarterly reports to DPE. The following quarterly reports were sighted: <ul style="list-style-type: none"> - Q4: December 2022 sent on 4/1/2023 to DPE. - Q1: March 2023 sent on the 5/4/2023 to DPE. - Q2: June 2023 sent on 14/7/2022 to DPE. Approval for late submission was sought on 30/6/23 for an extension until 14/7/23 which was granted on 3/7/23. - Q3: September 2023 sent on 6/10/2023 to DPE. 	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	IMEX ERSED plan from Vaughan Civil Rev.1	IMEX ERSED plan from Vaughan Civil Rev.1 was presented including the OSD2-Tank No issues observed. Stormwater pits available and controls in place.	Compliant
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.	Dewatering Plan – Container Beams Project IMEX terminal project No, VC373, rev. A 12/4/2023 Water Tank Discharge Records (register) – Qube IMEX Container Beams – Stage 1 and 2, 4/12/23 to 5/12/23	Presented Water Tank Discharge Records (register) – Qube IMEX Container Beams – Stage 1 and 2, showing dated when water was discharged 4/12/23, 5/12/23 quantity 10'000 litres PH level between 8.0 to 8.5 (6.6-8.5) and turbidity level between 20 to 22 (less 25) During the current construction works, water is discharged offside the site compound to the construction basin OSD2-Tank (mainly rainwater). If water gets discharged from site, it will go through testing in line with the IMEX SWMP.	Compliant
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.	Site inspection 7/12/2023	No large quantities of fuel and oil storage were observed on site during the inspection. Dangerous Good cabinet in place, only jerry cans, with appropriate bunding. Refer to photo.	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.	Site inspection 7/12/2023	No works on waterfront land was observed during the inspection.	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.	IMEX complaints/incident register current to 31/10/2023 VC373 Incident Register current to 30/11/2023 Email from DPE to Aspect 1/12/2023 re. MPES1 SSD 6766 Concrete incident Incident report submission – Email from Aspect to DPE 7/12/2023 Incident Investigation Report from Vaughan Civil 7/12/2023 Interview with auditees 07/12/2023	No incidents occurred during the audited period for MPE1, as defined by the consent. However, the incident register presented by Vaughan Civil indicates that on the 30 of November 2023 there was discharging of slurry within the Vactruck on the asphalt beside the discharge pipe. The HBB material did not travel into the grassed area to the west of the OSD2 tank area. The slurry was cleaned-up, an additional pipe was procured to allow for the area which the over-spill occurred to be de-contaminated and a sediment control tank was installed prior to the discharge pipe. The incident was classified as 'Class 1' incident type (less of \$10,000 to clean and no impact to the environment) in accordance with page 29, table 15 of MPE IMEX CEMP. However, as the incident was witness by DPE Senior Compliance Officer, on the 1/12/23 DPE requested submission of the incident investigation report by 7/12/23. The incident investigation report was prepared by Vaughan Civil on the 7/12/2023 and submission to the DPE was made on the 7/12/2023.	Compliant
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.	IMEX complaints/incident register current to 31/10/2023 Incident report submission – Email from Aspect to DPE 7/12/2023	One incident occurred for MPE1 on the 30/11/2023, as detailed above, which was classified as Class 1 (not reportable); however, as the DPE compliance witnessed the incident, it was requested that an incident report was provided to the DPE within 7 days (by the 7/12/3). The incident register contains summary details of the incident. Incident investigation report prepared by Vaughan Civil on the 7/12/2023 and submitted to DPE. Report includes SSD number, project, date and time of the incident,	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Incident Investigation Report from Vaughan Civil 7/12/2023</p> <p>Interview with auditees 07/12/2023</p>	<p>brief description of incident, sequency of events that led to the incident, actions taken, witnesses, contribution factors, investigation team, follow-up and close out of incident.</p>	
Heritage				
E12	The Applicant shall not harm, modify or otherwise impact any heritage items outside the subject site.	<p>Site inspection 7/12/2022</p> <p>Interview with auditees 7/12/22</p>	The works involved minor construction within the previous disturbed area of SSD 6766. No unexpected finds have occurred during the audit period.	Not triggered
Dangerous goods				
E13	<p>Dangerous goods, as defined by the Australian Dangerous Goods Code, shall be stored, and handled strictly in accordance with:</p> <ul style="list-style-type: none"> 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). <p>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.</p>	<p>Site inspection 7/12/2022</p>	<p>Minimal fuel (diesel) storage was observed on site during the inspection (DG cabinet). Spill kits were available in the event of spill during the construction works (Jan-Dec 2023).</p> <p>Plant and equipment used during the site inspection, appears to be fine.</p>	Compliant
Dust management				
E14	The Applicant shall carry out all feasible and reasonable measures to minimise dust generated by the Development.	<p>Site inspection 7/12/2023</p>	The area subject to disturbance during the audit period is negligible. Area has been sealed and no dust was sighted during the site inspection. Water cart is use whenever is required to do dust suppression.	Compliant
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.	<p>Site inspection 7/12/2023</p> <p>IMEX ERSED plan from Vaughan Civil, Rev.1</p> <p>Project Site Induction No. 373 from VC (PowerPoint presentation)</p> <p>Daily pre-starts</p> <p>IMEX Terminal West Vehicle Management Plan VC-VMC-01, Rev.1 dated 6/10/23.</p>	Trafficable areas were stabilised. Traffic controller in place to verify trucks have their loads covered and no mud tracking is carried out outside the site. The VMP indicates that forward in and forward out was achieved during the construction works.	Compliant
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.	<p>Waste and Energy mgt sub-plan is part of the EMP - Moorebank Precinct East Stage 1, 6/10/23.</p> <p>Internal Waste Register (live document) from 13/11/23 to 4/12/23 for VC</p>	The waste mgt plan has been developed within the EMP to manage project construction waste. There is an internal waste register that shows dates, time, company, ID, type of goods, registration no. and tons.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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).	<p>Internal Waste Register (live document) from 13/11/23 to 4/12/23 for VC</p> <p>Dockets from Campbelltown City Council:</p> <ul style="list-style-type: none"> - Docket No. 17732, 30/11/2023 for 1.5 Effluent - Docket No. 17631, 8/11/2023 for 3.9 Effluent <p>Waste dockets from Brandown Waste Recycling Services for concrete sighted for:</p> <ul style="list-style-type: none"> - 16/11/2023 No. 120024927 - 16/11/2023 No. 120024930 - 16/11/2023 No. 120024947 - 15/11/2023 No. 120024761 - 15/11/2023 No. 120024787 - 15/11/2023 No. 120024806 <p>Remondis EPL license number is 21346.</p> <p>Email from Remondis to RP Infrastructure, 19/12/2023 re. EPL License response form Veolia.</p>	<p>According to the waste register during the audit period waste has been classified as General Solid Waste (GSW) and accepted as Road Base.</p> <p>Ablution block (sewer tank) water from the portable toilets is already pre-classified and taken offsite. This is managed by Qube. Waste Facility: Campbelltown City Council 59 – 61 Junction Rd Leumeah NSW 2560; liquid waste is taken from Remondis (EPL license number is 21346). It was indicated in correspondence of 19/12/2023 from Remondis that Veolia stated that the site does not require an EPL because the effluent waste is not stored onsite. It gets directly into the sewer system.</p> <p>Concrete has been taken by Brandown Waste and Recycling Services. Waste dockets were presented for 15/11/23 to 16/11/2023.</p>	Compliant
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.	<p>Internal Waste Register (live document) from 13/11/23 to 4/12/23 for VC</p> <p>Remondis EPL license number is 21346.</p> <p>Email from Remondis to RP Infrastructure, 19/12/2023 re. EPL License response form Veolia.</p> <p>Waste dockets from Brandown Waste Recycling Services for concrete sighted for:</p> <ul style="list-style-type: none"> - 16/11/2023 No. 120024927 - 16/11/2023 No. 120024930 - 16/11/2023 No. 120024947 - 15/11/2023 No. 120024761 - 15/11/2023 No. 120024787 - 15/11/2023 No. 120024806 	<p>Waste from the site appears to have been directed to a facility lawfully permitted to receive it, however, the register presented is missing license details. Observation: The waste register did not include the waste facility name and license number. Good have been classified as Ashfield, General Solid Waste (GSW), etc.</p> <p>License Facilities number No. 5186 Brandown Property Limited at Cems creek, accepts waste disposal application to land.</p> <p>Concrete has been taken by Brandown Waste and Recycling Services. Waste dockets were presented for 15/11/23 to 16/11/2023.</p> <p>Liquid waste is taken from Remondis (EPL license number is 21346) to waste Facility: Campbelltown City Council 59 – 61 Junction Rd Leumeah NSW 2560; It was indicated in correspondence of 19/12/2023 from Remondis that Veolia stated that the site does not require an EPL because the effluent waste is not stored onsite. It gets directly into the sewer system.</p>	Compliant
Construction hours				
E19	<p>Construction shall be undertaken during the following standard construction hours:</p> <ul style="list-style-type: none"> a) 7:00am to 6:00pm Mondays to Fridays, inclusive; and b) 8:00am to 1:00pm Saturdays; <p>at no time on Sundays or public holidays.</p>	<p>Project Site Induction No. 373 from VC (PowerPoint presentation)</p> <p>Construction Environmental Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 2/12/2022</p> <p>Construction Noise and Vibration Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 07/07/21</p>	<p>Hours are included in the CEMP and CNVMP. Induction notes that work outside of standard hours is not permitted without approval. No complaints received in relation to the works.</p> <p>Three (3) OOHW permits had occurred during the audit period (low impact):</p> <ul style="list-style-type: none"> - IMEX 62 – 22-2/09/2023 from Martinus - Installation of track turnout and signal civil works - IMEX 63 – 27/10/23 from Vaughan Civil - Container Plate Installation - IMEX 64 – from Vaughan Civil - Container Plate Installation 	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>EMP dated 6/10/23 (no signatures) from Vaughan Civil (Container Beams Project No. VC373) Rev.1.</p> <p>OOHW IMEX No.62 (22-25/09/2023) Martinus installation of track turnout, signal civil works</p> <p>OOHW IMEX No.63 (18/09/23 – 27/10/23) Container Plate Installation from Vaughan Civil</p> <p>OOHW No.64 (29/11/23 – 19/2/23) Container Beam Installation. Noise and Vibration Mgt Plan from Vaughan Civil (low impacts)</p> <p>Complaints register current to 31/10/2023 (publicly available, summary issued to DPE and complaints management system extract)</p>	<p>OOHW were sent to the ER for information only. The ER made a comment agreeing with the OOHW application. The use of the OOHW protocol indicates that approval is being sought for OOHW.</p>	
E20	<p>Activities resulting in a high noise impact shall only be undertaken:</p> <ul style="list-style-type: none"> a) between the hours of 8:00 am to 5:00 pm Monday to Friday; b) between the hours of 8:00 am to 1:00 pm Saturday; and c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block. <p>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>	<p>Construction Environmental Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 2/12/2022</p> <p>Construction Noise and Vibration Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 07/07/21</p> <p>EMP dated 6/10/23 (no signatures) from Vaughan Civil (Container Beams Project No. VC373) Rev.1.</p> <p>Complaints register current to 31/10/2023 (publicly available, summary issued to DPE and complaints management system extract)</p> <p>Daily pre-start meeting record</p>	<p>Hours are included in the CEMP and CNVMP. The works undertaken during the audit period would have involved small amounts asphaltting. Further, the works are confined to the inside of the IMEX terminal with receivers some distance away.</p> <p>The works have not resulted in offsite impacts. The use of the OOHW protocol indicates that approval is being sought for OOHW.</p> <p>Presented Noise and Vibration Mgt Plan from Vaughan Civil for the IMEX Container Beam Installation and Container Plate Installation No.63</p> <p>No complaints received in relation to the works.</p>	Not triggered
E21	<p>Notwithstanding conditions E19 and E20, works may be undertaken outside the hours specified under those conditions in the following circumstances:</p> <ul style="list-style-type: none"> a) construction works that cause LAeq (15 minute) noise levels that are: <ul style="list-style-type: none"> i. No more than 5 dB above rating background level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009); and ii. 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 b) for the delivery of materials required by the police or other authorities for safety reasons; or c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or 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, 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 e) identified works approved by the Secretary. 	<p>Construction Environmental Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 2/12/2022</p> <p>Construction Noise and Vibration Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 07/07/21</p> <p>OOHW IMEX No.62 (22-25/09/2023) Martinus installation of track turnout, signal civil works</p> <p>OOHW IMEX No.63 (18/09/23 – 27/10/23) Container Plate Installation from Vaughan Civil</p> <p>OOHW No.64 (29/11/23 – 19/2/23) Container Beam Installation. Noise and Vibration Mgt Plan from Vaughan Civil (low impacts)</p> <p>Noise and Vibration Mgt Plan from Vaughan</p>	<p>Hours are included in the CEMP and CNVMP. The induction notes that work outside of standard hours is not permitted without approval.</p> <p>Refer to E19.</p> <p>OOHW packages were prepared to assess the OOHW and associated activities, they all deemed as low impact works under the OOHW Protocol (i.e.: permitted under E21 and not requiring ER approval). Packages are issued to the ER for information only. ER provided one comment in one of the OOHW application. The use of the OOHW protocol indicates that approval is being sought for OOHW.</p> <p>Presented Noise and Vibration Mgt Plan from Vaughan Civil for the IMEX Container Beam Installation and Container Plate Installation No.63</p> <p>No complaints received in relation to the works.</p>	Compliant

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		Civil for the IMEX Container Beam Installation and Container Plate Installation Complaints register current to 31/10/2023 (publicly available, summary issued to DPE and complaints management system extract)		
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> <ul style="list-style-type: none"> a) construction noise management levels established using the Interim Construction Noise Guideline (DECC 2009); b) vibration criteria established using the Assessing Vibration: A Technical Guide (DECC 2006) (for human exposure); and c) the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures (for structural damage). <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>Construction Environmental Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 2/12/2022</p> <p>Construction Noise and Vibration Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 07/07/21</p> <p>Noise and Vibration Mgt Plan from Vaughan Civil for the IMEX Container Beam Installation and Container Plate Installation</p> <p>Complaints register current to 31/10/2023 (publicly available, summary issued to DPE and complaints management system extract)</p> <p>OOHW IMEX No.62 (22-25/09/2023) Martinus installation of track turnout, signal civil works</p> <p>OOHW IMEX No.63 (18/09/23 – 27/10/23) Container Plate Installation from Vaughan Civil</p> <p>OOHW No.64 (29/11/23 – 19/2/23) Container Beam Installation. Noise and Vibration Mgt Plan from Vaughan Civil (low impacts)</p> <p>Interview with auditees 7/12/2023</p> <p>Site inspection 7/12/2023</p>	<p>Hours are included in the CEMP. The induction notes that work outside of standard hours is not permitted without approval. No earthworks or demolition works occurred during the audit period.</p> <p>The OOHW during March April and May involved electrical isolation, cable pulling works, concrete pouring works and asphalt paving works which were confined to the inside of the IMEX terminal with receivers some distance away. The works involved small mobile plant with small truck movements and did not result in offsite impacts.</p> <p>Noise and Vibration Mgt Plan from Vaughan Civil for the IMEX Container Beam Installation and Container Plate Installation. No.63</p> <p>No complaints received in relation to the works.</p>	Compliant
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 alarms in place of reversing beepers or alternatives such as reversing cameras and proximity alarms, or a combination of these, where tonal alarms are not mandated by legislation.</p>	<p>Driver Code of Conduct from CTAMP</p> <p>Site inspection 7/12/2023</p> <p>HSE Hazard identification, 5/9/2023 re. YRC Ute not inducted.</p> <p>Environmental Inspection Checklist, VC #46341 / V.1, 1/11/2023</p> <p>Opportunity for Improvement 28/8/2023 re. YRC Ute on-site not inducted and no beacon.</p>	<p>Requirements relating to waste, covering loads, using designated access and noise (including hours, use of compression breaks and horns, appropriate revving etc), and adherence to other project rules are included in the delivery Driver Induction. Driver Code of Conduct from CTAMP</p> <p>Construction activities sighted during the audit were low impacts and no complaints have been received regarding noise.</p> <p>HSE inspections and hazard identification have been carried out during the container plate installation works. Hazard identification on the 5/9/23 indicated that the YRC Ute on site was not inducted. Also, an opportunity for improvement was raised on the 'Assignar' system on the 28/8/23 re. YRC Ute not inducted and had no beacon in place.</p> <p>Sighted environmental inspection carried out on the 1/11/2023 for FRP/excavation/dewatering including in section 8.0 traffic and access and section 9</p>	Complaint

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			noise and vibration with no issues identified.	
E24	No use of compression brakes shall be permitted for construction vehicles associated with construction in the vicinity of the subject site.	Driver Code of Conduct from Construction Traffic and Access Management Plan (CTAMP) Moorebank Precinct East Stage 1, Package 2, SIMTA, 07/07/21	Requirements relating to using designated access and noise (including hours, use of compression breaks and horns, appropriate revving etc), and adherence to other project rules are included in the delivery driver induction.	Complaint
Review of operational sleep disturbance impacts				
E25	The Applicant shall 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 sleep disturbance predictions identified in the documents listed under Condition A1; and c) Consider appropriate noise mitigation measures where required. 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.	DPIE letter of acceptance dated 13/07/18.	Audits of construction prior to this time were conducted under a separate program and are complete.	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.	Interview with auditees and site inspection 7/12/23	No ROLs have been required for the SSD 6766 works during the audit period.	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.	Construction Traffic and Access Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 07/07/21 Drivers Code of Conduct Complaints register current to 31/10/2023 (publicly available, summary issued to DPE and complaints management system extract)	Approved routes are defined in the CTAMP and contracts (i.e.: access site from Moorebank Ave to and from M5 except for loads being directed to Glenfield Waste Facility). The delivery driver induction includes a statement that all drivers must adhere to the approved site access and traffic routes issued as part of the subcontract or supply agreement. Drivers Code of Conduct indicates that No access through Cambridge Avenue, and no use of Anzac Road. Records of inspections included checking of noise and vibration from heavy plant	Compliant
E28	Construction vehicles (including staff vehicles) shall be managed to: <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. 	Construction Traffic and Access Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 07/07/21, (including Driver Code of Conduct) Project Site Induction No. 373 from VC (PowerPoint presentation) Complaints register current to 31/10/2023 (publicly available, summary issued to DPE and complaints management system extract)	Approved routes are defined in the CTAMP and contracts (i.e.: access site from Moorebank Ave to and from M5 except for loads being directed to Glenfield Waste Facility). The Project induction includes specific reference to not queue on public roads. The delivery driver induction includes a statement that all drivers must adhere to the approved site access and traffic routes issued as part of the subcontract or supply agreement. Further it states that drivers must adhere road rules and drive safely, and park in the on-site designated parking.	Compliant
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	Site inspection 7/12/2023	There is no interface with pedestrians or cyclists.	Not

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	construction activities, a satisfactory alternate route shall be provided and signposted, including provision of temporary footpaths where pedestrian access is reliant on grassed verges.			triggered
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.	Site inspection 7/12/2023	There is no interface with third party properties except for the operational tenants on MPE. The access for the MPE operations was not affected by the works.	Not triggered
Biodiversity				
E31	No threatened species or communities can be cleared other than that required for construction.	Site inspection 7/12/2023	The works undertaken during the audit period are wholly confined to the existing terminal footprint. There is no interface with biodiversity.	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.	Site inspection 7/12/2023	The works undertaken during the audit period are wholly confined to the existing terminal footprint. There is no interface with biodiversity.	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.	Site inspection 7/12/2023	The works undertaken during the audit period are wholly confined to the existing terminal footprint. There is no interface with biodiversity.	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> <ol style="list-style-type: none"> a description of activities to be undertaken during construction; 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; 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; an environmental risk analysis to identify the key environmental performance issues associated with construction; and 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: <ol style="list-style-type: none"> 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; measures for the handling, treatment, and management of hazardous and contaminated materials (including asbestos); 	<p>Construction Environmental Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 2/12/2022, Rev.19</p> <p>Letter from Pitt & Sherry re. MPE1 RFMA 21 CEMP and CTP update approval, 31/05/2022</p> <p>EMP dated 6/10/23 (no signatures) from Vaughan Civil (Container Beams Project No. VC373) Rev.1.</p> <p>Updated EMP dated 08/01/24, Vaughan Civil (Container Beams Project No. VC373) Rev.1</p> <p>Environmental Management Plan (EMP) for IMEX West, 28/11/2022 Rev.0, from Martinus</p> <p>Letter from Pitt & Sherry re. MPE1 RFMA IMEX West Martinus Rail Site Offices and Laydown Compound – SSD 6766 approval of updates on the CEMP, 1/12/2022</p> <p>Environmental Representative Site Inspection Reports - MPES1-SSD 6766 for: 8/12/22, 13/1/23, 25/1/23, 9/2/23, 23/2/23, 9/3/23, 23/3/23, 6/4/23, 4/5/23, 18/5/23,</p>	<p>The CEMP (Rev.19) was updated in figure 3 (Martinus compound) and to remove references to SIMTA. Approval from ER was received on the 31/5/2022.</p> <p>Evidence sighted elsewhere in this audit table and during interviews and the inspection on 7/12/2023 indicates that the CEMP suite of documents is largely being implemented.</p> <p>Environmental Management Plan (EMP) from Vaughan Civil 6/10/2023 revision 1.0 was sighted and maintained on site.</p> <p>Observation: The EMP from Vaughan Civil (Container Beams Project No. VC373), dated 6 October 2023 (Rev. 1) was kept on site but there is no evidence that the EMP has been internally approved/signed by the relevant project representative.</p> <p>Prior finalisation of this audit report, a copy of the EMP dated 8/1/24 (Rev. 1) was provided. EMP includes an 'Amendment Register and Document Control' table indicating that Plan was approved by Patrick Pestana.</p> <p>Inspections are conducted on regular basis. The operations automated weather station is used to determine whether rain has been recorded. The ER continues to be engaged on the Project. He completes fortnightly inspections. Issues are raised and tracked to resolution.</p> <p>Evidence indicates that training, inspections, and monitoring is being delivered.</p> <p>Note: The observation about Fulton Hogan monthly reports has been closed as the Contractor is no longer doing works on site for this audit period.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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>	<p>1/06/23, 15/6/23, 29/6/23, 27/7/23, 10/8/23, 24/8/23, 2/11/23</p> <p>Records from Vaughan Civil for VC 360 Container Plate Installation Works:</p> <ul style="list-style-type: none"> - Hazard Identification – Oran Park re. 5/9/23 - HSEQ Checklist, 12/09/23 - Opportunity for Improvement: 23/8/23, 25/8/23, 12/9/23, 15/8/23, 17/8/23, 21/8/23 and 28/8/23. <p>Evidence referred to elsewhere in this table</p> <p>Site inspection 7/12/2023</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; 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; 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; 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 	<p>Construction Traffic and Access Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 07/07/21, (including Driver Code of Conduct)</p> <p>EMP dated 6/10/23 (no signatures) from Vaughan Civil (Container Beams Project No. VC373) Rev.1 - Updated EMP dated 08/01/24, Vaughan Civil (Container Beams Project No. VC373) Rev.1</p> <p>Complaints register current to 31/10/2023 (publicly available, summary issued to DPE and complaints management system extract)</p>	<p>The sighted sub-plans e.g., CTAMP, CHMP, CNVMP, CAQMP, CFFMP, CSWMP, CTAMP, CWMP, FERSP, BMP have not been changed since the last audit.</p> <p>Approved routes are defined in the CTAMP and contracts (i.e.: access site from Moorebank Ave to and from M5 except for loads being directed to Glenfield Waste Facility). The delivery driver induction includes a statement that all drivers must adhere to the approved site access and traffic routes issued as part of the subcontract or supply agreement. Further it states that drivers must adhere road rules and drive safely, and park in the on-site designated parking.</p> <p>The VMP identifies parking allocations for SSD 6766 for the construction undertaken during the audit period, and that forward in and forward out movements can be achieved.</p> <p>No complaints received for SSD 6766 regarding traffic and access during the audit period.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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 structures (including surveys being undertaken immediately following a monitored exceedance of the criteria); 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 viii) mechanisms for the monitoring, review, and amendment of this plan 	<p>Construction Noise and Vibration Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 0707/21</p> <p>OOHW IMEX No.62 (22-25/09/2023) Martinus installation of track turnout, signal civil works</p> <p>OOHW IMEX No.63 (18/09/23 – 27/10/23) Container Plate Installation from Vaughan Civil</p> <p>OOHW No.64 (29/11/23 – 19/2/23) Container Beam Installation. Noise and Vibration Mgt Plan from Vaughan Civil (low impacts)</p> <p>Complaints register current to 31/10/2023 (publicly available, summary issued to DPE and complaints management system extract)</p> <p>Project Site Induction No. 373 from VC (PowerPoint presentation)</p> <p>Interview with auditees 7/12/2023</p> <p>Site inspection 7/12/2023</p>	<p>The sighted sub-plans e.g., CTAMP, CHMP, CNVMP, CAQMP, CFFMP, CSWMP, CTAMP, CWMP, FERSP, BMP have not been changed since the last audit.</p> <p>The CNVMP appears to have been implemented during the audit period.</p> <p>The works undertaken during the audit period involved small mobile plant with small truck movements. No bulk earthworks or demolition works occurred.</p> <p>The induction notes that work outside of standard hours is not permitted without approval.</p> <p>OOHW packages were prepared to assess the OOHW and associated activities which were deemed to be low impact works under the OOHW Protocol (i.e.: permitted under E21 and not requiring ER approval). The use of the OOHW protocol indicates that approval is being sought for OOHW.</p> <p>Further, the works are confined to the inside of the IMEX terminal with receivers some distance away. The works have not resulted in offsite impacts. No complaints received in relation to the works.</p> <p>Requirements relating to waste, covering loads, using designated access and noise (including hours, use of compression breaks and horns, appropriate revving etc), and adherence to other project rules are included in the delivery driver induction.</p>	Not triggered
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> <ul style="list-style-type: none"> 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; <ul style="list-style-type: none"> (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 	<p>Construction Heritage Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 07/07/21</p>	<p>The sighted sub-plans e.g., CTAMP, CHMP, CNVMP, CAQMP, CFFMP, CSWMP, CTAMP, CWMP, FERSP, BMP have not been changed since the last audit.</p> <p>The induction notes that all heritage salvage areas have had salvage completed and, in the event, an unexpected find is encountered works must stop and supervisors notified. There have been no interfaces with heritage items or areas as part of the works undertaken during the audit period.</p>	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>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> <p>(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</p> <p>(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</p> <p>iii) mechanisms for the monitoring, review, and amendment of this plan.</p>			
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> <p>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;</p> <p>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:</p> <p>(a) clearing minimisation procedures (including fencing),</p> <p>(b) clearing procedures (including nest box plan),</p> <p>(c) removal and relocation of fauna during clearing,</p> <p>(d) habitat tree management, and</p> <p>(e) construction worker education;</p> <p>(f) installation of exclusion fencing prior to commencement of construction.</p>	<p>Construction Flora and Fauna Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 07/07/21</p>	<p>The sighted sub-plans e.g., CTAMP, CHMP, CNVMP, CAQMP, CFFMP, CSWMP, CTAMP, CWMP, FERSP, BMP have not been changed since the last audit.</p> <p>The induction identifies environmental no go areas and what to do if injured fauna is encountered. There have been no interfaces with biodiversity as part of the works undertaken during the audit period.</p>	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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. 			
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. 	<p>Construction Air Quality Management Plan Moorebank Precinct East Stage 1, Package 2, SIMTA, 07/07/21</p> <p>Site inspection 7/12/2023</p> <p>IMEX ERSED Plan, Rev.1</p> <p>Delivery Driver Induction, ex1_00329241, Fulton Hogan (including Driver Code of Conduct)</p> <p>Dust Deposition Summary Reports (DDSR) from SERS:</p> <ul style="list-style-type: none"> - Ref. No. 162536_DDSR_22032023, dated 22/03/2023, Rev.1 - Ref. No. 162536_DDSR_19062023 – 30082023, 11/09/2023, Rev.1 - Ref. No. 162536_DDSR_31082023-06102023, dated 17/10/2023, Rev.1 - Ref. No. 162536_DDSR_06102023-10112023, dated 21/11/2023, Rev. 1 	<p>The sighted sub-plans e.g., CTAMP, CHMP, CNVMP, CAQMP, CFFMP, CSWMP, CTAMP, CWMP, FERSP, BMP have not been changed since the last audit.</p> <p>The project induction includes a requirement to turn off vehicles when not in use.</p> <p>The area subject to disturbance during the audit period is negligible. It was indicated that the layout was consistent with the IMEX erosion and sediment control plan for the works.</p> <p>The delivery driver induction includes the requirement to not have smoky vehicles. No disturbed areas were sighted during the site inspection, the site is sealed.</p> <p>SSD 6766 works undertaken during the audit period involved very minor ground disturbance which would have an insignificant contribution to dust concentrations across the airshed.</p> <p>Presented Dust Deposition Summary Reports from SERS from Dec 2022 to March 2023 and from June to November 2023 (dust collected at seven locations) indicating no exceedances of the EPA criterion were identified in the reporting periods.</p>	Compliant
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; 	<p>Construction Soil and Water Management Plan Moorebank Precinct East Stage 1, Package 2, 07/07/21</p> <p>IMEX ERSED Plan, Rev.1</p> <p>Site inspection 7/12/2023</p>	<p>The sighted sub-plans e.g., CTAMP, CHMP, CNVMP, CAQMP, CFFMP, CSWMP, CTAMP, CWMP, FERSP, BMP have not been changed since the last audit.</p> <p>All the areas have been sealed and installed stormwater lines protected.</p> <p>The area subject to disturbance during the audit period is negligible. The layout was consistent with the IMEX erosion and sediment control plan for the works.</p> <p>If water gets discharged from site, it goes through testing in line with the IMEX SWMP. It was noted that on the 30 of November 2023 there was discharging of slurry within the Vactruck on the asphalt beside the discharge pipe. The HBB material did not travel into the grassed area to the west of the OSD2 tank area. The slurry was cleaned-up, an additional pipe was procured to allow for the area which the over-spill occurred to be de-contaminated and a sediment control tank was installed prior to the discharge pipe. The incident investigation report was prepared by Vaughan Civil and submitted to DPE on the 7/12/23.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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. 			
PART F PRIOR TO OPERATIONS				
Post-Construction Dilapidation Report				
F1	<p>The Applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works:</p> <ul style="list-style-type: none"> 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. 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: <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. 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>Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered
Easements				
F2	<p>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>	-	<p>Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered
External lighting				
F3	<p>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>	-	<p>Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered
Operation environmental management plan				
F4	<p>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 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); 	-	<p>Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements 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>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 polices;</p> <p>c) overall environmental policies, guidelines and principles to be applied to the operation of the project;</p> <p>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;</p> <p>e) an environmental risk analysis to identify the key environmental performance issues associated with the operation phase;</p> <p>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:</p> <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>			
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; c) Possible solutions to mitigate or eliminate brake squeal, including modifications to brake rigging and alternative brake shoe designs and compounds; and d) Any monitoring system proposed to capture brake squeal. 	-	<p>Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered
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>Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements 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>a) the preparation of a specification for the stacking of containers to achieve the required level of noise reduction 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> <ul style="list-style-type: none"> i) 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; ii) 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. iii) 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>			
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>Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered
F5C	<p>The noise criteria in Table A of condition F5B are to apply under all meteorological conditions except the following:</p> <ul style="list-style-type: none"> a) wind speeds greater than 3 m/s at 10 metres above ground level; or b) stability category F temperature inversion conditions and wind speeds greater than 2 m/s at 10 m above ground level; or 	-	<p>Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements 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
	c) stability category G temperature inversion conditions.			
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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
PART G DURING OPERATIONS				
Damage rectification				
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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit	Not triggered
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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete.	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Dangerous goods				
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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
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 "one piece" 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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
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 d) LAF(max) and SEL of individual train passbys, measured in accordance with ISO3095; or e) Other alternative information as agreed with the Secretary. 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. 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. 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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
G7A	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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<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>		do not form part of this audit.	
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 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). b) the noise survey shall be conducted in accordance with the EPA's Rail Infrastructure Noise Guideline 2013 to determine: <ul style="list-style-type: none"> (i) the contribution of any new rail traffic travelling to and from the development; and, (ii) the increase in the total rail traffic noise level caused by any new rail traffic to and from the development. c) the noise survey shall be conducted for not less than 12 contiguous days in the winter months (July, August, or September). 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: <ul style="list-style-type: none"> •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). e) the report of the noise survey including the results and recommendations shall be provided to the Secretary 	-	<p>Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered
G8	<p>The following measures must be implemented during operation:</p> <ul style="list-style-type: none"> 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 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>Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered
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>Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete.</p>	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	
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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
G11	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: <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. 	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
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 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.	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.	Not triggered
G15	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: <ul style="list-style-type: none"> a) noise monitoring to assess compliance with the operational noise levels predicted in documents specified under condition A1 of this approval; b) a review of the operational noise levels in terms of criteria and noise goals established in the NSW Road Noise Policy (EPA, 2011); c) sleep disturbance impacts compared to those determined in Condition E25; d) 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; e) 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; f) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and proportions; 	-	Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete. Audits for operational phase requirements 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>g) 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> <p>h) 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>			
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>Works during 2022 did not involve these activities. Audits of construction prior to this time were conducted under a separate program and are complete.</p> <p>Audits for operational phase requirements are subject to separate audit programs and do not form part of this audit.</p>	Not triggered

APPENDIX B – SITE INSPECTION PHOTOGRAPHS

No.	Comment	Photograph																																
1	Moorebank Intermodal Precinct Site Notice																																	
2	Vaughan Civil site entrance boundary with safety signage	<p>NOTES: Site 2 Days Heavy 1st Run - sub (C/S) Surface to 1mtr depth & sub top toward backstop for 1st</p> <table border="1"> <thead> <tr> <th colspan="3">PERMITS IN USE</th> </tr> <tr> <th>PERMIT</th> <th>EXPIRY</th> <th></th> </tr> </thead> <tbody> <tr> <td>PTE</td> <td>21/11/23</td> <td></td> </tr> <tr> <td>1st work</td> <td>20/1/23</td> <td></td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>ACTIVITY</th> <th>HAZARDS</th> <th>RISK</th> <th>CONTROLS</th> </tr> </thead> <tbody> <tr> <td>Excavate</td> <td>Heavy Plant</td> <td></td> <td>Controlled excavation</td> </tr> <tr> <td>Excavate</td> <td>Water & Gas</td> <td></td> <td>1st Control, 2nd Control, 3rd Control</td> </tr> <tr> <td>Excavate</td> <td>Ground Collapse</td> <td></td> <td>1st Control, 2nd Control, 3rd Control</td> </tr> <tr> <td>Excavate</td> <td>Power Lines</td> <td></td> <td>Visual inspection</td> </tr> </tbody> </table> <p>Supervisor Name: STEVE Contact Number: 0420 61 5119 ALL PERSONNEL MUST BE SITE INDUCTED FIRST AID FIRE EXTINGUISHER SPILL KIT LV RESCUE KIT</p>	PERMITS IN USE			PERMIT	EXPIRY		PTE	21/11/23		1st work	20/1/23		ACTIVITY	HAZARDS	RISK	CONTROLS	Excavate	Heavy Plant		Controlled excavation	Excavate	Water & Gas		1st Control, 2nd Control, 3rd Control	Excavate	Ground Collapse		1st Control, 2nd Control, 3rd Control	Excavate	Power Lines		Visual inspection
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Excavate	Power Lines		Visual inspection																															

No.	Comment	Photograph
3	Sign-in record, first aid kit and fire extinguisher available	 <p>The photograph shows a yellow and black plastic table set up outdoors. On the table, there is a clipboard with a sign-in record. To the left of the table is a red fire extinguisher. On the table itself, there is a green first aid kit. In the background, a white tarp is visible with several safety signs attached to it, including a 'FIRST AID' sign, a 'FIRE EXTINGUISHER' sign, and a 'SPILL KIT' sign. A 'PERMITS IN USE' sign is also visible on the tarp, listing permit types and expiry dates.</p>
4	North-side of construction area demarcated	 <p>The photograph shows a construction site with a large blue steel structure being assembled. In the foreground, a road is demarcated with yellow paint and metal barriers. A circular speed limit sign with the number '10' is visible on the left. Several workers in orange safety gear are visible in the background near the construction equipment.</p>

No.	Comment	Photograph
5	Construction area demarcated with required danger signage in place	
6	Construction of container beams in progress	

No.	Comment	Photograph
7	Construction of container plates in progress (formwork, reinforcement and pouring)	
8	Internal parallel road free of mud and dust	
9	Excavations in sealed surfaces	

No.	Comment	Photograph
10	Stormwater pits protected	
11	Placement of re-enforced concrete	

No.	Comment	Photograph
12	Placement of re-enforced concrete, and demarcation of area in place	
13	Concrete waste bin available	

No.	Comment	Photograph
14	Material laydown area maintained	
15	Hazardous Material shed and spill kit available	 

APPENDIX C – ATTENDANCE REGISTER

INDEPENDENT AUDIT MEETING ATTENDANCE RECORD

PROJECT (NAME AND APPROVAL NUMBER)	MPE - IA8 SSD 6766			
LOCATION:	Moorebank Precinct East, Moorebank Ave			
DATE/TIME (Opening Meeting):	7/12/23 9:15am	DATE/TIME (Closing Meeting):	7/12/2023 2:15pm	
Lead Auditor:	[REDACTED]	Audit Scope:	SSD 6766	
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE	
			Opening Meeting	Closing Meeting
[REDACTED]	Lead Auditor	WolfPeak	[REDACTED]	[REDACTED]
[REDACTED]	Associate Director	Aspect	[REDACTED]	[REDACTED]
[REDACTED]	Consultant	Aspect	[REDACTED]	[REDACTED]
[REDACTED]	SENIOR PROJECT ENGINEER	VAUGHAN CIVIL	[REDACTED]	[REDACTED]
[REDACTED]	HSEQ Advisor	Vaughan Civil	[REDACTED]	[REDACTED]
[REDACTED]	Senior Project Engineer	Vaughan Civil	[REDACTED]	[REDACTED]
[REDACTED]	PM	VAUGHAN CIVIL	[REDACTED]	[REDACTED]
[REDACTED]	Project Manager	R P Infrastructure (Que)	[REDACTED]	[REDACTED]

APPENDIX D – DECLARATION FORM

Declaration of Independence - Auditor

Project Name:	Moorebank Precinct East Stage 1
Application Number:	SSD 6766
Description of Project:	<p>Construction and operation of the inter-modal facility including an Import Export terminal (IMEX No. 1) comprising:</p> <ul style="list-style-type: none"> • Truck processing, holding and loading areas – entrance and exit from Moorebank Ave. • Rail loading and container storage areas – installation of four rail sidings with adjacent container storage area serviced by manual handling equipment initially and overhead gantry cranes progressively • Administration facility and associated car parking – light vehicle access from Moorebank Avenue.
Project Address:	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)
Proponent:	Logos Property
Title of Audit	Independent Audit MPE1 – IA8
Date:	22/12/2023

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2020)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

- a) *Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and*
- b) *The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)*

Name of Proposed Auditor:	[REDACTED]
Signature:	[REDACTED]
Qualification:	Bachelor of Industrial Engineering and Master Engineering Management Exemplar Global Lead Environmental Auditor [REDACTED]
Company:	WolfPeak Pty Ltd