

**Independent DPHI Compliance Audit
SSI 10053 – Moorebank Avenue
Realignment Works**

10 May 2025

Independent DPHI Compliance Audit

SSI 10053 – Moorebank Avenue Realignment Works

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Executive Summary

Trigalana Environmental Pty Ltd has been engaged to undertake an independent Audit of the Moorebank Avenue Realignment Works (MARW). The MARW Project involves the construction of a multi lane road, and ancillary development including, but not limited to, access roads, construction compounds, flood mitigation works, pedestrian and cycling facilities, road modification works, signage, stormwater management, signalised intersections, and utilities infrastructure.

Development Consent (SSI 10053) covers both the construction and operational phases of the Project. The Project Proponent is the Moorebank Intermodal Company Limited (MIC) (now National Intermodal Corporation Limited (National Intermodal)). GHD are the project manager, Arcadis are the environmental and planning consultants. BMD is the construction contractor for the construction of the MARW Project.

The Audit is required by the Conditions of Approval (CoA) and has been undertaken in accordance with the Department of Planning, Housing and Infrastructure (DPHI) Post Approval Requirements (2020).

The Audit covers construction activities for the period from the date of the Initial Audit on 18th of January 2023 to the 18th of March 2025. The Audit consisted of a site inspection, interview with key project personnel and a review of relevant management plans, project documents and management records.

The site inspection was undertaken on 18th of March 2025 with members of National Intermodal, Arcadis and BMD present.

The findings of the Audit are:

- The Project is in the early stages with site activities limited to the establishment of site compounds and some electrical works being undertaken during the Audit period. Geotechnical and contamination investigations as noted in the previous audit are now complete
- No incidents have occurred during the Audit period
- No construction related complaints have been received. Two complaints have been received regarding potential operational noise impacts
- No non compliances have been identified by this Audit
- The recommendation from the previous Audit has been implemented.

Key environmental issues are being managed effectively on site as summarised:

- The construction contractor for the main works (BMD) has mobilised with key environmental management roles appointed
- BMD EMP and systems have been prepared that are aligned with the National Intermodal approved environmental management plans
- The Environmental Representative (OptiumE) has undertaken site inspections and is performing their role in accordance with the CoA.

Key strengths identified by the Audit include:

- The project team was well organised and had a good understanding of the conditions of approval and their compliance obligations
- Documentation required for the Audit was readily available and filed in an orderly manner.

Three recommendations for improvement are made regarding the driver code of conduct, complaints register, and the complaints handling procedure.

1 Project Overview

1.1 Project Background

Moorebank Avenue currently connects to Newbridge Road and M5 Motorway to the north, Anzac Road to the south and terminates at Cambridge Avenue, near the Holsworthy Military Reserve. Moorebank Avenue is currently a four-lane undivided road between Newbridge Road and the M5 Motorway, while between the M5 Motorway and Cambridge Avenue it is a two-lane undivided road. A section of Moorebank Avenue currently divides the Moorebank Intermodal Precinct (MIP), comprising Moorebank Precinct East (MPE) and Moorebank Precinct West (MPW). North of the M5 Motorway, Moorebank Avenue is a State road. Between the M5 Motorway and Anzac Road it is owned and maintained by Liverpool City Council (LCC) and between Anzac Road and Cambridge Avenue it is a private road on Commonwealth land.

Figure 1 provides an overview of the Project. The Project involves the realignment of an existing two-kilometre section of Moorebank Avenue, from a point approximately 130 meters south of the Anzac Road/Moorebank Avenue intersection to a point immediately north of the East Hills Railway. Key features of the Project include:

- Construction of approximately three kilometres of new road to bypass the MIP to the east, comprising: – A four-lane road (two lanes in each direction) near MPE, commencing from a point approximately 130 metres south of the Anzac Road / Moorebank Avenue intersection to the south-eastern corner of the MPE site – A two-lane road (one lane in each direction) from the south-eastern corner of the MPE site to a point immediately north of the bridge over the East Hills railway
- Northern tie-in to Moorebank Avenue, 130 meters south of the Anzac Road/Moorebank Avenue for 250 metres to the northwest corner of the MPE site
- Construction of four accesses with signalised intersections between the new road and the MIP
- Construction of a central median, typically six metres wide, tapering to zero width where the new road becomes two lanes
- Southern tie-in to Moorebank Avenue, 17 metres before the East Hills railway over bridge. No work will be undertaken or impact the East Hills over-bridge
- Construction of retaining walls
- Construction of operational drainage infrastructure, on-site stormwater detention basins, and operational water quality controls (including vegetated swales, bioretention systems, and spill containment)
- Installation of a culvert within Anzac Creek and extending existing culverts within existing watercourses/drainage lines
- Installation of road furniture including security fencing, guideposts, traffic signs, and street lighting, including defence communications and high voltage electricity alignments
- Construction of temporary ancillary facilities, including a work site compound, lay-down areas, and construction water detention basins.

1.2 Project Approval

The Project is designated State Significant Infrastructure (SSI) and was subject to an Environmental Impact Statement (EIS). The EIS, with accompanying documents were publicly displayed. Following public display, response to submissions and further studies, the EIS was approved by the NSW Minister for Planning. The Project instrument of approval (SSI 10053) was issued on 14 October 2021 and documents 161 conditions that are to be complied with during the construction and operational stages of the MARW Project.

1.3 Supplementary Approvals and Licences

In addition to the Planning Approval (SSI 10053), several other approvals apply to the Project as follows.

- Commonwealth Controlled Activity Approval (EPBC 2020/8839) administered by the Commonwealth Department of Climate Change, Energy, Environment and Water (DCCEW)
- Environment Protection Licence (EPL#21972), held by BMD for the construction of the MARW.

1.4 Construction activities

At the time of the Audit, activities being undertaken included the establishment of the main construction compound and environmental controls.

Other construction activities undertaken during the audit period included 11kV electrical utility works near the “Piccolo Me” café on Moorebank Avenue. Geotechnical and soil contamination investigation works being undertaken at the time of the initial audit had been completed. Main construction activities such as mainline clearing, grubbing and earthworks had not commenced.

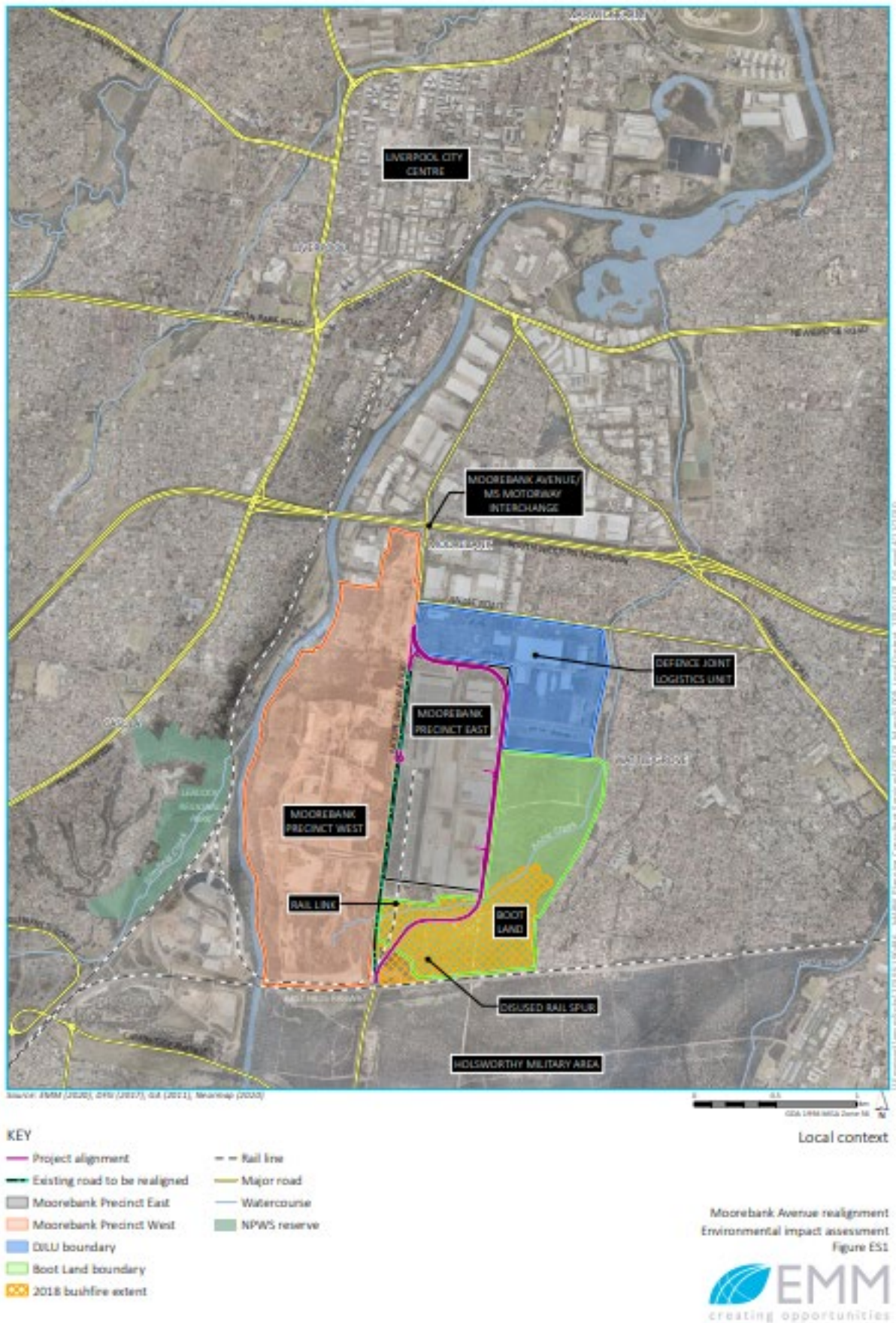
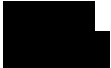


Figure 1: Project location as described in the EIS.

1.5 Auditor

Trigalana Environmental Pty Ltd has been appointed to undertake this independent environmental Audit. The Auditor was approved by the Department of Planning and Environment in accordance with Condition A38. Details of the Auditor are provided in [Table 1: Auditor Details](#)

Table 1: Auditor Details

Name	Qualifications	Key Experience
	B. E Civil M. Environmental Management Management Systems Auditing Leading Management Systems Audit teams Exemplar Global Lead Auditor	29 years of environmental management experience in the infrastructure sector. Have undertaken over 100 Audits including independent DPHI Audits for major infrastructure Projects including: <ul style="list-style-type: none"> • Upper South Creek Advanced Water Recycling Centre • EnergyConnect. • Crudine Ridge Windfarm. • Sapphire Windfarm. • Rye Park Windfarm. • Albion Park Bypass. • Walla Walla Solar Farm. • Warrell Creek to Nambucca Heads. • Northern Road upgrade. • Tweed Valley Hospital. • Windsor Bridge.

The DPHI Letter of approval for the Auditor is provided in Appendix A.

1.6 Audit Objectives

The key objectives of the Independent Environmental Audit are to assess compliance of the Project with the CoA and the implementation of management plans as outlined in the CoA. The Audit is to recognise good practices while providing practical and reasonable recommendations for improvement that can be implemented throughout the project as construction continues.

1.7 Audit Scope and Period

This Audit has been undertaken in accordance with Condition A35 of the Ministers Conditions of approval. These conditions are outlined in [Table 2](#) below.

Table 2: Independent Audit – Requirements

Condition Reference	Condition	Comment
A35	Independent Audits of the SSI must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (DPIE, 2020).	This Audit has been undertaken in accordance with the DPE Independent Post Approval Requirements. The Audit focussed on the conditions of consent relevant to the early stage of construction, with further scope development following consultation with DPHI and Liverpool Council.

The Audit covers construction activities for the period from the date of the Initial Audit on 18th of January 2023 to the 18th of March 2025. Due to the timing of the appointment of BMD and a period of construction inactivity, the second Audit (this audit) was delayed in consultation with the ER and the Auditor with approval from DPHI.

1.8 Definitions

Commonly used acronyms in this Audit report are as described in Table 3.

Table 3: Common acronyms

Acronym	Description
BHA	Bushfire Hazard Assessment
BMD	B.M.D. Constructions Pty Limited, the construction contractor appointed by National Intermodal to undertake the works
BOS	Biodiversity Offset Strategy
CA	Consistency Assessment
CoA	Conditions of Approval
CBMP	Construction Bushfire Management Plan
CCC	Community Consultative Committee
CCS	Community Consultation Strategy
CEMP	Construction Environmental Management Plan
CNVIS	Construction Noise and Vibration Impact Statements
CNVMP	Construction Noise and Vibration Management Plan
CPESC	Certified Professional in Erosion and Sediment Control
DAWE	Commonwealth Department of Agriculture, Water and Environment
DCCEEW	Commonwealth Department of Climate Change, Energy, the Environment and Water
DPE	Department of Planning and Environment (now the Department of Planning Housing and Infrastructure)
DPIE	Department of Planning, Industry and Environment (now the Department of Planning Housing and Infrastructure)
DPHI	Department of Planning Housing and Infrastructure (formerly the Department of Planning and Environment)
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979
EMP	Environmental Management Plan
EPA	NSW Environment Protection Authority
EPBC	Environmental Protection and Biodiversity Conservation Act 1999
EPL	Environmental Protection Licence

Acronym	Description
ER	Environmental Representative
ESD	Ecological Sustainable Development
EWMS	Environmental Work Method Statement
FRNSW	Fire and Rescue NSW
GHD	Gutteridge Haskins and Davey, Project Manager for the MARW
IEA	Independent Environmental Audit
ICNG	EPA Interim Construction Noise Guideline
IPAR	DPHI Independent Audit Post Approval Requirements, May 2020)
MARW	Moorebank Avenue Realignment Works
MIP	Moorebank Intermodal Precinct
MPE	Moorebank Precinct East
MPW	Moorebank Precinct West
NCA	Noise Catchment Area
NIC	National Intermodal Corporation
OCEMP	Overarching Construction Environmental Management Plan
OCNR	Operational Noise Compliance Report
OEH	Office of Environment and Heritage
OTNAR	Operational Traffic Noise Assessment Report
PFAS	A group of synthetic organofluoride substances commonly found in groundwater. A typical source is firefighting foam from fire suppressant activities
Planning Secretary	The Planning Secretary of the Department of Planning, Housing, and Infrastructure.
RAP	Remedial Action Plan
RFS	Rural Fire Service
SEMP	Site Establishment Management Plan
SSI	State Significant Infrastructure
SPVA	State Voluntary Planning Agreement
TfNSW	Transport for New South Wales
UDLP	Urban Design and Landscape Plan
UFP	Unexpected Finds Protocol

2 Independent Audit Methodology

2.1 Scope Development

The Audit scope was developed in consideration of:

- The NSW Department of Planning, Housing and Infrastructures Independent Audit Post Approval Requirements (IPAR) (May 2020)
- Project Conditions of Approval (SSI 10053) dated 14 October 2021
- Stakeholder feedback from relevant government stakeholders including:
 - Department of Planning, Housing and Infrastructure (DPHI)
 - Liverpool City Council.

The scope of the Audit did not include an assessment of compliance with any supplementary approvals or licences or verification of design aspects of the Project.

2.2 Stakeholder Consultation – Key Issues

In undertaking the Audit, key issues raised by the government agencies groups that are relevant to the Audit are summarised in Section 3.7.

2.3 Summary of Audit Processes

- Opening meeting
- Site inspection, noting environmental practices and controls
- Audit Interviews
- Review of documents and records
- Closing meeting.

2.4 Opening Meeting

An opening meeting was held on 18th of March 2025 where the Auditor provided an overview of the Audit process and confirmed the agenda for the Audit. The opening meeting was attended by the following personnel.

- [REDACTED] Senior Manager, Planning and Environment, National Intermodal
- [REDACTED] Site Manager, National Intermodal
- [REDACTED], Regional Environmental Manager, BMD
- [REDACTED], Environmental Coordinator, BMD
- [REDACTED], Senior Environmental Advisor, National Intermodal Contractor / Arcadis.

2.5 Site Inspection

A site inspection was undertaken on the morning of 18th of March 2024. The Auditor was escorted by members of the Project team (as noted in Section 2.4). The following observations were made by the Auditor:

- Site activities being undertaken or completed at the time of the site inspection included:
 - geotechnical investigations and minor clearing activities to create safe access for the drill rig to the drilling locations (completed)
 - 11kV electrical utility works near the “Piccolo Me” café on Moorebank Avenue (completed)
 - Establishment of site compound and installation of environmental controls in readiness for main construction activities (underway).
- Environmental controls implemented included:
 - Perimeter fence to ensure work activities remain in the project boundary
 - Exclusion fencing for the protection of heritage items and ecologically sensitive areas
- Full construction activities such as mainline clearing and grubbing and bulk earthworks had not commenced

- There were no offsite fugitive emissions such as dust, sediment, stormwater noise or vibration.

There was no obstruction of local footpaths or roads. All plant, equipment and any motor vehicles were located within the site boundaries.

2.6 Document Review

In undertaking the Audit, a broad range of documents were reviewed or referred to, including:

- Project conditions of approval (SSI 10053)
- Project Environmental Impact Statement
- Environmental Management Plans, developed in accordance with the Project Conditions
- Correspondence with relevant authorities
- Consultation records
- Specialist reports
- Records of implementation of the environmental management plans including checklists, inspection reports, etc.

A detailed list of the documents reviewed in undertaking the Audit is provided in Appendix C - Audit Table.

2.7 Closing Meeting

The closing meeting was held on the 8th of May 2025 where the summary of the Audit findings was provided, noting areas of good practice and recommendations for improvement.

Attendees at closing meeting included the following:

- [REDACTED], Senior Manager, Planning and Environment, National Intermodal
- [REDACTED] Regional Environmental Manager, BMD.

2.8 Compliance Descriptors

The compliance status of each condition was determined using the relevant descriptors in and as described in the DPE (now DPHI) 2020 Auditing Post Approval Requirement and summarised in Table 4.

Table 4 - Compliance Descriptors

Status	Description
Compliant (C)	Sufficient verifiable evidence to demonstrate that all elements of the requirement have been completed
Non- Compliant (NC)	One or more specific elements of the conditions or requirements have not been complied with within the scope of the Audit
Not Triggered (NT)	A requirement has an activation or timing trigger that has not been met at the time when the Audit was undertaken

3 Audit Findings

3.1 Compliance Performance

A summary of compliance performance is provided in Table 5.

Table 5: Compliance summary

Section	Number of Conditions	Compliant	Non-Compliant	Not Triggered
A	44	24	0	20
B	13	11	0	2
C	17	14	0	3
D	4	0	0	4
E	83	43	0	40
Total	161	92	0	69

3.2 Summary of Agency Notices, Orders, Penalty Notices and Prosecutions

No agency notices, warning letters, orders, penalty notices or prosecutions have been issued to the project to date.

3.3 Incidents

The Auditor reviewed incident reports and registers for the Audit period and notes there were no incidents during the Audit period that would require reporting to DPHI, EPA or Council.

3.4 Community Complaints

During the Audit period a total of two complaints were received specifically relating to the MARW construction. These are as summarised in [Table 6](#).

Table 6: Complaints summary

Date received	Complainant	Nature of complaint	Action taken	Status
5/4/25	Community Member	Complaint in agreement with prior complaint. Concern about location of Moorebank Avenue Realignment and the risks of increased noise from the precinct. Stated that noise walls were necessary for project.	Response sent to the stakeholder on 4 April 2025	Closed
9/3/25	Community Member	Concern about location of Moorebank Avenue Realignment and the risks of increased noise from the precinct. Stated that noise walls were necessary for project.	Stakeholder contacted, and complaint receipt acknowledged	Closed

The Auditor acknowledges the complaints made in relation to operational noise treatments. This issue has been previously raised by LCC with a response provided in independent Audit # 1

Updated observations made by the Auditor in relation to operational noise are provided in Section 3.7

3.5 Actions from previous Audits

The status of actions from the previous Audit are detailed in [Table 7](#) below.

Table 7: Actions from previous Audit

Condition no	Summary of Condition (relevant requirements)	Observation	Recommendation	Comment and Status
E3	The clearing of native vegetation must not exceed the clearing footprint identified in the documents listed in Condition A1. All practicable measures to reduce the clearing of native vegetation within the clearing footprint must be undertaken, with the objective of reducing impacts to threatened ecological communities and threatened species habitat.	There appears to be an inconsistent colour coding system for the delineation of ecologically sensitive areas and heritage “no go” areas. This has the potential to cause misunderstanding and may contribute to an unauthorised clearing/impact event.	Review the colour coding and signage arrangements for clearing activities to ensure a consistent approach is applied for mainline clearing activities. This should also be consistently referred in the environmental management documentation such as EWMS as well as induction training.	At this stage of the project, clearing activities have not commenced. Green boundary flagging has been installed. The site induction notes that “all areas outside the boundary flagging “Green Flags” is a strict No Go Zone”. Status - Closed

3.6 Adequacy of Environmental Management Plans

The management plans implemented for this construction phase have been prepared by suitably qualified personnel, endorsed by the independent Environmental Representative, and approved by DPHI following consultation with relevant stakeholders. The plans meet the conditions of approval and other relevant legislative requirements. The management plans are adequate for the current scope of work and were observed to be implemented effectively in the field.

3.7 Stakeholder Consultation Outcomes

Issues raised by project stakeholders that were consulted with prior to undertaking the Audit are summarised in [Table 8](#) with the Auditor's response to each issue.

Table 8: Key stakeholder issues and Auditor response

Organisation	Key Issues/Comments	Auditor Response
Department of Planning, Housing and Infrastructure	Heavy vehicle monitoring (E49) and how the Project plans to implement this and record/store the data.	<p>Condition E49 relates to the management of heavy vehicles carrying spoil. The Construction Traffic Management Plan commits the construction contractor to use real time monitoring to record the location and movement of trucks hauling spoil. The records of these movements are to be stored electronically and provided to the Planning Secretary.</p> <p>At the time of the Audit, earthworks have not commenced, and spoil trucks had not commenced operation.</p>
	Construction vehicle interactions with the public (E50 to E55) – please determine whether there is a clear process for ensuring compliance with conditions E50 to E55. Such as how inspections, raising issues, addressing issues are carried out and recorded.	<p>There are a range of mechanisms documented in the Conditions of Consent, the CEMP and the management plans for managing compliance with Conditions E50 – E55. These include:</p> <ul style="list-style-type: none"> • Table 6.1 of the CTMP provides details of management actions, timing and responsibility for ensuring compliance with the conditions of consent • As noted above, real time monitoring of spoil vehicles is required to be undertaken with any non-compliances identified and reported to the project team immediately • Section 8 of the Contractors CEMP describes site inspections to be undertaken on a daily and weekly basis by key supervisory and environmental personnel with issues and corrective actions raised through the contractor's corrective and improvement database. • Preparation and implementation of Vehicle Management Plans and Traffic Control Plans • Regular site inspections undertaken by the independent Environmental Representative with non-compliances reported to the DPHI compliance team monthly. Community complaints (including those relating to traffic) are also reported to DPHI monthly (at a minimum)

Organisation	Key Issues/Comments	Auditor Response
		<ul style="list-style-type: none"> Non compliances with the conditions of consent and any traffic related incidents must also be reported to DPHI in accordance with the conditions of consent <p>Please refer also to the Auditors responses to Conditions E50- E55 in Appendix C.</p>
	<p>What processes the Project has in place to comply with the Noise and Vibration conditions of the Consent (E18 to E26). Specifically, E25 how this will be implemented and recorded – ‘Industry best practice construction methods...</p>	<p>A Construction Noise and Vibration Management Plan (CNVMP) has been prepared which documents construction phase management measures to mitigate noise impacts. The CNVMP provides details of the following:</p> <ul style="list-style-type: none"> Working hours with respite provisions for highly intensive noisy activities (such as rock breaking) Construction noise management levels and vibration criteria Timetabling of noisy work at community, religious, educational and other sensitive premises Industry best practice measures Construction Noise and Vibration Impact Statements (CNVIS) <p>During the site inspection, there were no noisy activities observed (such as clearing, earthworks) and no construction noise related complaints have been received during the audit period.</p> <p>BMD noted that as part of their procurement process, contractors with modern equipment are engaged to avoid older (and noisier) models. An electronic system has been implemented to allow contractors to upload their maintenance records to ensure plant is maintained to minimise noise. Construction Method Statements (CMS) are prepared to ensure best practice methodologies and equipment is used.</p> <p>Please refer also to the Auditors responses to Conditions E18- E26 in Appendix C.</p>

Organisation	Key Issues/Comments	Auditor Response
Liverpool City Council	The proponent should submit the relevant documentation which demonstrates that the transport related conditions in the consent for the subject SSI are complied with and satisfied by the consent authority, TfNSW and/or Council. A copy of the submission documents and condition satisfaction correspondence is requested to be provided to Council for information.	<p>Noted. Sufficient evidence was provided to the Auditor to demonstrate that relevant documentation has been provided to Council and/or TfNSW in accordance with the relevant conditions of consent.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Pre- construction Road condition surveys (Condition E51) • Construction Traffic Management Plan (Conditions C6 and C7) <p>The CTMP notes additional documents to be submitted to Council throughout the project (such as Traffic Guidance Schemes for consultation) and notes the requirement to obtain supplementary approvals from Council where applicable (e.g. Road Occupancy Licences for tie ins at the north and south connecting to Moorebank Avenue).</p>
	Previously, Council staff also raised a concern that Moorebank Avenue is being realigned closer to the existing residents in Wattle Grove and requested that noise assessment be carried out to identify whether noise attenuation works are required. Council staff do not consider that the assessment has been adequately completed. Post-project noise evaluation for residents living in Wattle Grove is required within 6 months after the project is complete.	<p>An Operational Traffic Noise Assessment Report (OTNAR) has been prepared by an acoustic specialist. The report includes an assessment of the operational noise impacts at the Wattle Grove residential areas to the east of the project (Noise Catchment Areas – NCA 01, 02 and 03). Section 5.2 of the OTNAR includes an assessment of the “worst case impacts” and concludes that predicted noise impacts do not trigger the requirement to install noise walls.</p> <p>Condition E28 requires National Intermodal to measure operational noise to compare actual noise performance of the SSI within 12 months of project opening. Condition E29 requires the findings of the operational noise monitoring to be documented in an Operational Noise Compliance Report (OCNR) and to be made publicly available.</p>

Organisation	Key Issues/Comments	Auditor Response
	The project team looking after the Moorebank Avenue Realignment Project have stated that noise walls are unnecessary and that Fire Safety is in hand stemming from the realignment of the roadway to a very close distance over a bush land bio security allotment from the to be established roadway to the Western Boundary of the Wattle Grove Housing Estate	<p>Refer to response above regarding noise walls.</p> <p>The EIS includes a Bushfire Hazard Assessment (BHA). A Construction Bushfire Management Plan (CBMP) has been prepared to prevent and respond to bushfire during the construction phase. The CBMP was prepared in consultation with Fire and Rescue NSW (FRNSW) and the Rural Fire Service (RFS).</p> <p>No activities were observed during the Audit site inspection (such as cutting or welding) that could result in a Bushfire. Minor volumes of chemicals were appropriately bunded and away from any vegetation or other bushfire hazards in accordance with the CBMP.</p>
	Furthermore, it is TfNSW's intention to support the upgraded section of Moorebank Ave becoming a State classified road. The road should be classified as a state road within 6 months after the project completion.	Comments regarding road classification are noted, however the classification of roads is the role of TfNSW and is outside the scope of National Intermodal's role.

3.8 Actual Versus Predicted Impacts

The Auditor conducted a high-level review of the EIS to determine consistency of the actual and predicted impacts with the current impacts of the MARW Project. The EIS identified several key environmental risks with the potential to cause environmental impact as follows:

- Biodiversity
- Bushfire
- Noise and Vibration
- Contamination
- Water
- Historic heritage
- Aboriginal heritage
- Air quality
- Social
- Visual and landscape character.

In accordance with the conditions of approval, management plans have been prepared with appropriate resources applied to implement the plans, with independent appointments and technical specialists to check and monitor their implementation.

Given the degree of compliance with the CoA, the observations, Audit interviews and records reviews as part of the Audit, it may be reasonably concluded that the environmental impacts of construction activities to date are consistent with predictions made in the EIS. All work was contained within the project boundary.

3.9 Key Strengths

Key strengths were identified during the Audit as follows:

- The project team was well organised and had a good understanding of the conditions of approval and their compliance obligations
- Documentation required for the Audit was readily available and filed in an orderly manner

3.10 Improvement Opportunities

Opportunities for Improvement identified during this Audit are summarised in [Table 9: Recommendations for Improvement](#) below.

Table 9: Recommendations for Improvement

Condition no	Summary of Condition (relevant requirements)	Observation	Recommendation
B10	<p>A Complaints Register must be maintained recording information on all complaints received about the SSI during the carrying out of any work and for a minimum of 12 months following the completion of construction. The Complaints Register must record the:</p> <ul style="list-style-type: none"> (a) number of complaints received; (b) the date and time of the complaint; (c) the method by which the complaint was made; (d) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; (e) nature of the complaint; (f) means by which the complaint was addressed and whether resolution was reached, with or without mediation; and (g) if no action was taken, the reason(s) why no action was taken. <p>Complainants must be advised, where possible, that the Complaints Register may be forwarded to Government agencies to allow them to undertake their regulatory duties.</p>	<p>TSA management manage the complaints centrally for all precincts.</p> <p>Appendix D of the CCS is the complaints handling procedure. The complaints handling procedure doesn't include details of the procedure to advise complainants, that the Complaints Register may be forwarded to Government agencies to allow them to undertake their regulatory duties.</p>	<p>Update the complaints handling procedure to include the requirement to notify complainants that the register may be forwarded to government agencies in accordance with this condition.</p>

Condition no	Summary of Condition (relevant requirements)	Observation	Recommendation
B13	<p>A website or webpage providing information in relation to the SSI must be established before commencement of work and be maintained for the duration of construction, and for a minimum of 24 months following the completion of construction. The following up-to-date information (excluding confidential, private, commercial information or any other information that the Planning Secretary has approved to be excluded) must be published before the relevant work commences and maintained on the website or dedicated pages including:</p> <ul style="list-style-type: none"> (a) (information on the current implementation status of the SSI; (b) <p>All information required in this condition must be available on the Proponent's website, ordered in a logical sequence and easy to navigate.</p>	<p>The project website is comprehensive and includes the relevant information as required by this condition. The website provides language interpretation services.</p> <p>The complaints register, provided on the project website covers the entire project and doesn't specify which precinct the complaint relates to.</p>	<p>Update the complaints register to include an additional column that documents which precinct of the intermodal terminal the complaint relates to so that it is clear which complaints relate to the MARW project.</p>
E54	<p>Vehicles (including light and heavy vehicles) associated with the SSI must be managed to:</p> <ul style="list-style-type: none"> (a) minimise parking on public roads; (c) (minimise idling and queueing on state and regional roads; (d) not carry out marshalling of construction vehicles near sensitive land user(s); (e) not block or disrupt access across pedestrian or shared user paths at any time; and (f) ensure spoil haulage vehicles are made aware of the nominated haulage routes. 	<p>All vehicles were observed to be contained within the site. No reports of vehicles parking on public roads, idling, queueing etc recorded during the Audit period.</p> <p>BMD have prepared a Drivers Code of Conduct to communicate the site requirements to drivers.</p>	<p>Update the drivers code of conduct to include a map showing the approved vehicle routes to and from the as well as the approved routes to the Glenfield Waste Depot as applicable.</p>

Appendix A DPHI Auditor Approval

Department of Planning and Environment



Our ref: SSI-10053-PA-32

██████████ Senior Manager Planning and Environment
NATIONAL INTERMODAL CORPORATION LIMITED
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Sydney New South Wales 2000
7/12/2023

Sent via the Major Projects Portal only

Subject: Moorebank Avenue Realignment - IEA Auditor Nomination

Dear ██████████

Reference is made to your post approval matter, SSI-10053-PA-32, request for the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Audit of the Moorebank Avenue Realignment (Project), submitted as required by Schedule 2, Condition A34 of SSI-10053 as modified (the Consent) to NSW Department of Planning and Environment (NSW Planning) on 1 December 2023.

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

In accordance with Schedule 2, Condition A34 of the Consent and the NSW Planning, *Independent Audit Post Approval Requirements* (2020) (IAPAR), as nominee of the Planning Secretary, I endorse the following independent audit team:

- ██████████
- ██████████

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

The Independent Audit must be prepared, undertaken, and finalised in accordance with the conditions of Consent and the IAPAR. Failure to meet these requirements will require revision and resubmission.

Please note that this is an agreement for the audit team listed above for the project's construction stage only. If there are any changes to the approved audit organisation, and/or audit team member/s a new request must be submitted and agreed to by the Planning Secretary prior to commencement of the relevant audit.

Department of Planning and Environment



For the operational phase of the project, you must submit a request for a different audit organisation and team to be approved by the Planning Secretary, where required under the IAPAR and the Consent.

NSW Planning reserves the right to request an alternate auditor or audit team for future audits.

Should you wish to discuss the matter further, please contact me on 02 8837 6395 or email compliance@planning.nsw.gov.au



Appendix B Auditor Declaration

Project name	Moorebank Avenue Realignment Works
Consent Number	SSI 10053
Description of Project	The construction of a multi lane road, and ancillary development including, but not limited to, access roads, construction compounds, flood mitigation works, pedestrian and cycling facilities, road modification works, signage, stormwater management, signalised intersections and utilities infrastructure.
Project Address	Moorebank Avenue, Moorebank
Proponent	Moorebank Intermodal Company Limited
Date	10 May 2025

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

I declare that

- (i) the Audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Compliance Requirements (Department 2019);
- (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 corporation, \$1 million and for an individual, \$250,000; and
- b) The *Crimes Act 1900* contains other offences relating to the false and misleading information; section 307Bv (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both).

Name of Auditor

[Redacted]

Signature

[Redacted Signature]

Qualification

BE Civil, M Environmental Management

Company:

Trigalana Environmental Pty Ltd

Appendix C Audit Table

Part A – ADMINISTRATIVE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
GENERAL				
A1	<p>The Proponent must carry out the SSI in accordance with the terms of this approval and generally in accordance with the:</p> <p>(a) <i>Moorebank Avenue Realignment Environmental Impact Statement Volume 1 and Volume 2</i> prepared by EMM for Sydney Intermodal Terminal Alliance dated March 2021; and</p> <p>(b) <i>Moorebank Avenue Realignment Response to Submissions</i> prepared for Sydney Intermodal Terminal Alliance dated May 2021</p>	<ul style="list-style-type: none"> • Site Inspection 18/03/25 • Audit Interview 18/03/25 • Approval Conditions of Consent – Responsibility Matrix dated 1/5/25 • Letter from DCCEEW to National Intermodal titled “Approval of variation of conditions for Moore bank Avenue Realignment” dated 14/1/25 • Letter from Optime-E to National Intermodal titled “SSI 10053-Moorebank Avenue Realignment Works (MARW) Environmental Representative (ER)- Review of Consistency Assessment – Proposed design Boundary Changes” dated 22/7/24 • Letter from Optime-E to National Intermodal titled “SSI 10053-Moorebank Avenue Realignment Works (MARW) Environmental Representative (ER)- Review of Consistency Assessment – Proposed design Boundary Changes” dated 20/11/24 • Letter from Optime-E to National Intermodal titled “SSI 10053-Moorebank Avenue Realignment Works (MARW) Environmental Representative (ER)- Approved Amendments to the Construction Environmental Management Plan (CEMP) and associated sub plans and monitoring programme” dated 	<p>The project is being delivered generally in accordance with the terms and conditions of this approval and the environmental assessment documentation.</p> <p>A comprehensive compliance tracking program has been prepared and implemented covering the NSW Conditions of Consent (these conditions) in addition to REMMs, Commonwealth EPBC Conditions, the EPL and management plan revision status.</p> <p>The program was up to date at the time of the Audit.</p> <p>During the Audit period a consistency assessment was prepared for changes to the project boundary. The CEMP was updated, and the ER endorsed the Consistency Assessment and the revised CEMP.</p> <p>No inconsistencies were identified by the Audit.</p>	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<p>12/2/25</p> <ul style="list-style-type: none"> Moorebank Avenue Realignment Works (MARW) Division 5.2 (State Significant Infrastructure Consistency Assessment" Proposed Design and Boundary Changes, Arcadis, 16/7/24 		
A2	The SSI must only be carried out in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the documents listed in Condition A1 unless otherwise specified in, or required under, this approval.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25 Documents reviewed by the Auditor and noted in this report. 	As noted in this Audit report, sufficient evidence was provided to the Auditor to demonstrate the effective implementation of environmental management plans and compliance with this condition.	Compliant
A3	<p>In the event of an inconsistency between:</p> <p>(a) the terms of this approval and any document listed in Condition A1, the terms of this approval will prevail to the extent of the inconsistency; and</p> <p>(b) any document listed in Condition A1, the most recent document will prevail to the extent of the inconsistency.</p> <p>Note:</p> <p><i>For the purpose of this condition, there will be an inconsistency between a term of this approval and any document if it is not possible to comply with both the term and the document.</i></p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	<p>As noted above, a consistency assessment was prepared for changes to the project boundary. The CEMP was updated, and the ER endorsed the Consistency Assessment and the revised CEMP.</p> <p>No inconsistencies identified during the Audit period.</p>	Compliant
A4	<p>The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to:</p> <p>a) the environmental performance of the SSI;</p> <p>b) any document or correspondence in relation to the SSI;</p> <p>c) any notification given to the Planning Secretary under the terms of this approval;</p> <p>d) any Audit of the construction or operation of the SSI;</p> <p>e) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval);</p> <p>f) the carrying out of any additional monitoring or mitigation</p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	No written directions have been received from the Planning Secretary during the Audit period	Not triggered

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	measures; and g) in respect of ongoing monitoring and management obligations, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval.			
A5	<p>Where the terms of this approval require a document or monitoring program to be prepared or a review to be undertaken in consultation with identified parties, evidence of the consultation undertaken must be submitted to the Planning Secretary with the document. The evidence must include:</p> <p>a) documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval;</p> <p>b) a log of the dates of engagement or attempted engagement with the identified party;</p> <p>c) documentation of the follow-up with the identified party where engagement has not occurred to confirm that they do not wish to engage or have not attempted to engage after repeated invitations;</p> <p>d) outline of the issues raised by the identified party and how they have been addressed; and</p> <p>e) a description of the outstanding issues raised by the identified party and the reasons why they have not been addressed.</p>	<ul style="list-style-type: none">• MAR SSI-10053 Construction Waste and Resource Management Plan, March 2023• MAR SSI-10053 Construction Soil and Water Management Plan, August 2023• MAR SSI-10053 Construction Traffic and Transport Management Plan, August 2023• MAR SSI-10053 Construction Noise and Vibration Management Plan, June 2023• MAR SSI-10053 Construction Heritage Management Plan, June 2023• MAR SSI-10053 Construction Biodiversity Management Plan, June 2023• MAR SSI-10053 Construction Air Quality Management Plan, May 2023• MAR SSI-10053 Construction Bushfire Management Plan, May 2023• MAR SSI-10053 Contamination Management Plan, March 2023• MAR SSI-10053 Construction Environmental Management Plan, May 2023.	<p>As noted in IA # 1, Management Plans include a description of the consultation undertaken with relevant stakeholders.</p>	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A6	A strategy, plan or program (or the like) required by the terms of this approval may be combined with any other strategy(ies), plan(s) or program(s) with the agreement of the Planning Secretary.	<ul style="list-style-type: none"> Letter from GHD to DPHI titled "Moorebank Avenue Realignment (SSI-10053) Environmental risk assessment (Condition A19), combination of plans (Condition A6) and endorsement of nominated plans by the Environmental Representative (Condition C8)" dated 2/11/22 Letter from DPHI to National Intermodal titled "Risk Assessment for Moorebank Avenue Realignment Work (Condition A19 of SSI 10053" dated 22/11/22. 	<p>DPHI have approved the following:</p> <ul style="list-style-type: none"> Inclusion of the Construction Noise and Vibration Monitoring Program into the Construction Noise and Vibration Management Plan Inclusion of the unexpected finds procedure for contamination into the contamination management plan Consolidation of the water management plan, erosion and sediment control plan, soil and water management plan, flood emergency response plan and surface water monitoring program into a construction soil and water management plan The inclusion of the spoil management plan into the construction waste and resource management plan. 	Compliant
A7	This approval lapses five years after the date on which it is granted unless work has physically commenced on or before that date.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25 Infrastructure Approval – SSI 10053 dated 14/10/21. 	The project has commenced within the 5-year timeframe as required by this condition.	Compliant
A8	Despite Condition A7, work under this approval can only commence while SVPA-2018-9696 is in force.	<ul style="list-style-type: none"> Audit Interview 18/03/25 Planning Agreements Liverpool City Council (nsw.gov.au). 	SVPA-2018-9696 is a voluntary planning agreement with Liverpool Council, TfNSW and Cube Re Services Pty Ltd. The SVPA is available on the Liverpool City Council Website and is still in force.	Compliant
A9	Signalisation of intersections as described in Section 5.3.5 of the EIS referenced in Condition A1 is not approved unless agreed to by TfNSW following the outcomes of the process outlined in Condition E57.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25 Moorebank Avenue Realignment Works, Traffic Assessment Report, Anson Group, dated 02/06/23. 	Installation of traffic signals had not commenced at the time of the Audit.	Not triggered

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A10	References in the terms of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Australian Standards or policies in the form they are in as at the date of this approval.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	Administrative note.	Noted
A11	Any document that must be submitted or action taken within a timeframe specified in or under the terms of this approval may be submitted or undertaken within a later timeframe agreed with the Planning Secretary. This condition does not apply to the written notification required in respect of an incident under Condition A40.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. Email from DPHI to National Intermodal titled "SSI 10053 – Independent Environmental Audit – Extension Request" dated 11/11/24 	Approval was obtained from DPHI to delay the second Independent Environmental Audit (this Audit) as there was limited site activities being undertaken (limited to geotechnical drilling/contamination investigations) with minimal impacts occurring. Independent site inspection was undertaken by the Environmental Representative during this period.	Compliant
STAGING				
A12	The SSI may be constructed and/or operated in stages. Where staging is proposed, a Staging Report (for either or both construction and operation as the case may be) must be prepared. The Staging Report must be endorsed by the ER and then submitted to the Planning Secretary for information no later than one month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation) or no later than one month before the lodgement of any CEMP or CEMP subplan for the first of the proposed stages of construction or the first of the proposed stages of operation.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	Construction is not staged; therefore, a staging report is not required.	Not triggered

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A13	Despite Condition A12, the existing Moorebank Avenue must remain open to through traffic until construction of the realigned Moorebank Avenue is completed in its entirety and open to all traffic. Work to enable the restricted access to MLP may commence if it does not result in impacts to through traffic.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	Moorebank Avenue was observed to be open to traffic during the Audit site inspection.	Compliant
A14	<p>The Staging Report must:</p> <p>if staged construction is proposed, set out how the construction of the whole of the SSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;</p> <p>if staged operation is proposed, set out how the operation of the whole of the SSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);</p> <p>specify how compliance with conditions will be achieved across and between each of the stages of the SSI;</p> <p>set out mechanisms for managing any cumulative impacts arising from the proposed staging; and</p> <p>for the purposes of informing Conditions C3, C9 and 0, include an assessment of the predicted level of environmental risk and potential level of community concern posed by the construction activities required to construct each stage of the SSI.</p> <p>With respect to (e) above, the risk assessment must use an appropriate process consistent with AS/NZS ISO 31000: 2018 Risk Management – Guidelines.</p> <p>Note</p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	Construction is not staged; therefore, a staging report is not required.	Not triggered

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>A Staging Report may reflect the staged construction and operation of the project through geographical activities, temporal activities or activity-based staging.</p> <p>The risk matrix must reflect the stages of construction identified in the Staging Report.</p>			
A15	The SSI must be staged in accordance with the Staging Report where one is prepared.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	Construction is not staged; therefore, a staging report is not required.	Not triggered
A16	Where staging is proposed, the terms of this approval that apply or are relevant to the work or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25 Letter from GHD to DPHI titled "Moorebank Avenue Realignment (SSI-10053) Environmental risk assessment (Condition A19), combination of plans (Condition A6) and endorsement of nominated plans by the Environmental Representative (Condition C6)" dated 2/11/22. 	Construction is not staged; therefore, a staging report is not required.	Not triggered
A17	Where changes are proposed to the staging of construction or operation, a revised Staging Report must be prepared, endorsed by the ER and submitted to the Planning Secretary for information no later than one month before the proposed change in the staging.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	Construction is not staged; therefore, a staging report is not required.	Not triggered

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A18	Where changes are proposed to the risk assessment related to the staging of construction or operation, a revised Staging Report or updated risk assessment where Condition A19 applies, must be submitted to the Planning Secretary one (1) month before the lodgement of any CEMP or CEMP sub-plan associated with that stage.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	Construction is not staged; therefore, a staging report is not required.	Not triggered
A19	If staging is not proposed, a risk assessment, consistent with the requirements of Condition A14(e) must be prepared for the purposes of informing Conditions C3, C9 and 0. The risk assessment must be endorsed by the ER and then submitted to the Planning Secretary no later than one month before the commencement of construction or no later than one month before the lodgement of any CEMP or CEMP subplan.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25 Letter from Optime E to GHD titled "Moorebank Avenue Realignment Project (MARW) Environmental Risk Assessment Environmental Representative ER Endorsement" dated 1/11/22. Letter from DPHI to National Intermodal titled "Risk Assessment for Moorebank Avenue Realignment Work (Condition A19_ of SSI 10053" dated 22/11/22. 	The Risk Assessment was endorsed by the Environmental Representative on 1/11/22 and submitted to the Planning Secretary on 02/11/22. The Planning Secretary acknowledged receipt of the Risk Assessment on 22/11/22.	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A20	<p>The Proponent may submit any strategies, plans or programs required by this approval on progressive basis.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. While any strategy, plan or program may be submitted on a progressive basis, the Proponent must ensure that operations on site are covered by suitable strategies, plans or programs at all times; and 2. If the submission of a strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to future stages, and the trigger for updating the strategy, plan or program. 3. The staged submission of strategies, plans or programs may reflect the construction and operation of the project through geographical activities, temporal activities or activity-based staging. 	<ul style="list-style-type: none"> • Site Inspection 18/03/25 • Audit Interview 18/03/25. 	Approved management plans were in place prior to the commencement of construction.	Not triggered
ANCILLARY FACILITIES				
A21	<p>Ancillary facilities that are not identified by description and location in the documents listed in Condition A1 can only be established and used in each case if:</p> <ol style="list-style-type: none"> (a) they are located within or immediately adjacent to the construction boundary; and (b) they are not located next to sensitive land use(s) (including where an access road is between the facility and the receiver), unless the landowner and occupier have given written acceptance to the carrying out of the relevant facility in the proposed location; and 	<ul style="list-style-type: none"> • Site Inspection 18/03/25 • Audit Interview 18/03/25. • Moorebank Avenue Realignment Works, Construction Environmental Management Plan, SSI – 10053, 22/1/25 • Moorebank Avenue Realignment, Environmental Impact Statement Volume 1, March 2021 	As observed during the Audit site inspection, the Contractors Construction compound was established in an existing concrete and paved hard stand area and away from any sensitive receivers. The Auditor reviewed the EIS and the CEMP and noted that the location is consistent with both the EIS (Figure 5.1) and the CEMP (Figure 2.2)	Not triggered

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(c) they have no impact on heritage items or heritage objects (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval; and</p> <p>(d) the establishment and use of the facility can be carried out and managed within the outcomes set out in the terms of this approval, including in relation to environmental, social and economic impacts.</p>			
SITE ESTABLISHMENT				
A22	<p>Before establishment of a construction ancillary facility (excluding minor construction ancillary facilities established under Condition A24), the Proponent must prepare an Ancillary Site Establishment Management Plan which outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facilities. The Ancillary Site Establishment Management Plan must be prepared in consultation with the relevant council and government agencies. The Plan must be submitted to the Planning Secretary for approval one month before the establishment of any construction ancillary facilities. The Ancillary Site Establishment Management Plan must detail the management of the construction ancillary facilities and include:</p> <p>(a) a description of activities to be undertaken during establishment of the construction ancillary facility (including scheduling and duration of work to be undertaken at the site);</p> <p>(b) figures illustrating the proposed operational site layout and the location of the closest sensitive land user(s);</p>	<ul style="list-style-type: none"> • Site Inspection 18/03/25 • Audit Interview 18/03/25. 	<p>As observed during the Audit site inspection, the Contractors Construction compound had been established in an existing concrete and paved hard stand area and away from any sensitive receivers. The Auditor reviewed the EIS and the CEMP and noted that the location is consistent with both the EIS (Figure 5.1) and the CEMP (Figure 2.2)</p> <p>As the CEMP was approved by DPHI on 6/4/23, an Ancillary Site Establishment Plan is not required.</p>	Not triggered

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(c) a program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of site establishment work;</p> <p>(d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to:</p> <p>(i) meet the performance outcomes stated in the documents listed in Condition A1, and</p> <p>(ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and</p> <p>(e) a program for monitoring the performance outcomes, including a program for construction noise monitoring.</p> <p>Nothing in this condition prevents the Proponent from preparing individual Ancillary Site Establishment Management Plans for each construction ancillary facility.</p> <p>Note: -This condition only applies to the establishment of ancillary facilities identified and assessed in the documents listed in Condition A1 and is only needed before a CEMP(s) which includes measures to manage use of the relevant construction ancillary facility is approved.</p>			
A23	<p>A construction ancillary facility established under Condition A22 must not be used until the CEMP required by Condition C1, relevant CEMP Sub-plans required by Condition C6 and relevant Construction Monitoring Programs required by Condition C12 have been approved by the Planning Secretary.</p>	<ul style="list-style-type: none">• Site Inspection 18/03/25• Audit Interview 18/03/25.	<p>As observed during the Audit site inspection, the Contractors Construction compound had been established in an existing concrete and paved hard stand area and away from any sensitive receivers.</p> <p>The Auditor reviewed the EIS and the CEMP and noted that the location is consistent with both the EIS (Figure 5.1) and the CEMP (Figure 2.2)</p>	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
			As the CEMP and subplans were approved by DPHI on 6/4/23, compliance with this Condition has been achieved.	
A24	<p>Lunch sheds, office sheds, portable toilet facilities, car parking, material storage, and the like, can be established and used where they have been assessed in the documents listed in Condition A1 or satisfy the following criteria:</p> <p>(a) are located within or adjacent to the construction boundary; and</p> <p>(b) have been assessed by the ER to have -</p> <p>(i) minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the Interim Construction Noise Guideline (DECC, 2009), traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and</p> <p>(ii) minimal environmental impact with respect to waste management and flooding, and</p> <p>(iii) no impacts on biodiversity, soil and water, and heritage items or Aboriginal objects beyond those already approved under other terms of this approval</p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	<p>As observed during the Audit site inspection, the Contractors Construction compound had been established in an existing concrete and paved hard stand area and away from any sensitive receivers. The Auditor reviewed the EIS and the CEMP and noted that the location is consistent with both the EIS (Figure 5.1) and the CEMP (Figure 2.2)</p> <p>As the CEMP and subplans were approved by DPHI on 6/4/23, compliance with this Condition has been achieved</p>	Compliant
INDEPENDENT APPOINTMENTS				
A25	Independent Appointments required by the terms of this approval must have regard to Seeking approval from the Department for the appointment of independent experts (DPIE, 2020) and hold current membership of a relevant professional body, unless otherwise agreed by the Planning Secretary.	<ul style="list-style-type: none"> Audit Interview 18/03/25 Letter from GHD to DPHI titled "Moorebank Avenue Realignment (SSI-10053) – Nomination of Environmental Representative and alternate Environmental Representative" dated 21/7/22 	Optim- E have been appointed as the independent Environmental Representative. Both the lead and alternate ER's have current memberships of professional bodies with their appointments approved by DPHI.	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled "Nomination of environmental Representative for Moorebank Avenue Realignment" dated 11/8/22. 	There has been no change to the ER during the Audit period	
A26	<p>The Planning Secretary may at any time commission an Audit of how an Independent Appointment has exercised their functions. The Proponent must:</p> <p>(a) facilitate and assist the Planning Secretary in any such Audit; and</p> <p>(b) make it a term of their engagement of an Independent Appointment that the Independent Appointment facilitate and assist the Planning Secretary in any such Audit.</p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	The Planning Secretary has not commissioned an Audit of how an Independent Appointment has exercised their functions.	Not triggered
A27	<p>The Planning Secretary may withdraw its approval of an Independent Appointment should they consider the Independent Appointment has not exercised their functions in accordance with this approval.</p> <p>Note: Conditions A26 and A27 apply to all Independent Appointments including the ER.</p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	The Planning Secretary has not withdrawn their approval of any independent appointment.	Not triggered
ENVIRONMENT REPRESENTATIVE				

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A28	Work must not commence until an Environmental Representative (ER) has been nominated by the Proponent and approved by the Planning Secretary.	<ul style="list-style-type: none"> Letter from GHD to DPHI titled "Moorebank Avenue Realignment (SSI-10053) – Nomination of Environmental Representative and alternate Environmental Representative" dated 21/7/22. Letter from DPHI to National Intermodal titled "Nomination of environmental Representative for Moorebank Avenue Realignment" dated 11/8/22. 	The ER was approved by the Department on the 11/8/22. Low impact work did not commence until the 7/9/23.	Compliant
A29	The Planning Secretary's approval of an ER must be sought no later than one month before the commencement of work.	<ul style="list-style-type: none"> Letter from GHD to DPHI titled "Moorebank Avenue Realignment (SSI-10053) – Nomination of Environmental Representative and alternate Environmental Representative" dated 21/7/22. Letter from DPHI to National Intermodal titled "Nomination of environmental Representative for Moorebank Avenue Realignment" dated 11/8/22. 	The ER was approved by the Department on the 11/8/22. Low impact work did not commence until the 7/9/23.	Compliant
A30	The Proponent may engage more than one ER for the SSI, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Planning Secretary for the purposes of the SSI.	<ul style="list-style-type: none"> Letter from GHD to DPHI titled "Moorebank Avenue Realignment (SSI-10053) – Nomination of Environmental Representative and alternate Environmental Representative" dated 21/7/22 Letter from DPHI to National Intermodal titled "Nomination of Environmental Representative for Moorebank Avenue Realignment" dated 11/8/22. 	National Intermodal have engaged the services of an alternate ER to fulfill the role of ER should the ER be unavailable.	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A31	<p>For the duration of work or as agreed with the Planning Secretary, the approved ER must:</p> <p>(a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the SSI;</p> <p>(b) consider and inform the Planning Secretary on matters specified in the terms of this approval;</p> <p>(c) consider and recommend to the Proponent any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community;</p> <p>(d) review documents identified in Conditions A12, A22, C1, C6 and C12 and any other documents that are identified by the Planning Secretary, for consistency with requirements in or under this approval and if so:</p> <p>(i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or</p> <p>(ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary / Department for information or are not required to be submitted to the Planning Secretary/Department);</p> <p>(iii) provide a written statement/submission via the Major Projects portal to the Planning Secretary advising the documents have been reviewed for consistency by the ER;</p> <p>(e) regularly monitor the implementation of the requirements of documents listed in Conditions A12, A22, C1, C6 and C12 and the terms of this approval;</p> <p>(f) as may be requested by the Planning Secretary, help plan or attend Audits of the development commissioned by the Department including scoping Audits, programming Audits, briefings and site visits, but not independent environmental Audits required under Condition A35 of this approval;</p>	<ul style="list-style-type: none"> Audit Interview 24/01/24 Letter from Optime E to DPHI titled "Environmental Representative Monthly Report for December 2022 Project SSI 10053 – Moorebank Avenue Realignment Works (MARW), dated 2/1/23 Letter from Optime E to DPHI titled "Environmental Representative Monthly Report for November 2022 Project SSI 10053 – Moorebank Avenue Realignment Works (MARW), dated 7/12/22 Environmental Representative Site Inspection Report, OptimeE, dated 30/10/23 Letter from GHD to DPHI titled "Moorebank Avenue Realignment (SSI-10053) Environmental risk assessment (Condition A19), combination of plans (Condition A6) and endorsement of nominated plans by the Environmental Representative (Condition C6)" dated 2/11/22. Letter from Optime E to National Intermodal titled "SSI10053-Moorebank Avenue Re-alignment Works (MARW) Environmental Representative (ER) Review of the Construction Environmental Management Plan" dated 13/2/23. Letter from Optime-E to National Intermodal titled "SSI 10053-Moorebank Avenue Realignment Works (MARW) Environmental Representative (ER)- Review of Consistency Assessment – 	<p>The Environmental Representative's involvement in the project to dated has included:</p> <ul style="list-style-type: none"> Preparation of monthly ER reports ER site inspections and environmental reporting Review and endorsement of the CEMP and specialist subplans Review and endorsement of the risk assessment undertaken in accordance with Condition A19. <p>During the Audit period, construction activities were limited to the establishment of the construction compound. Confirmation of the ER's involvement was provided in the form of ER letters of endorsement for amendments to the CEMP, Consistency Assessments and monthly reports provided by the ER to DPHI.</p>	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(g) as may be requested by the Planning Secretary, assist in the resolution of community complaints;</p> <p>(h) consider or assess the impacts of minor construction ancillary facilities comprising lunch sheds, office sheds, portable toilet facilities and materials storage, as required by Condition A24 of this approval;</p> <p>(i) consider minor amendments to be made to the Ancillary Site Establishment Management Plan, CEMP, CEMP Sub-plans and monitoring programs without increasing impacts to nearby receivers or that comprise updating or are of an administrative nature, and are consistent with the terms of this approval and the CEMP, CEMP Sub-plans and monitoring programs approved by the Planning Secretary and, if satisfied such amendment is necessary, approve the amendment. This does not include modification to the terms of this approval;</p> <p>(j) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Environmental Representative Protocol under the heading "Environmental Representative Monthly Reports." The Environmental Representative Monthly Report must be submitted within seven days following the end of each month for the duration of the ER's engagement for the SSI, or as otherwise agreed by the Planning Secretary; and</p> <p>(k) make recommendations to the Planning Secretary that the activities reliant on the definition of Low Impact Works are consistent with the definition.</p>	<p>Proposed design Boundary Changes" dated 22/7/24</p> <ul style="list-style-type: none"> Letter from Optime-E to National Intermodal titled "SSI 10053-Moorebank Avenue Realignment Works (MARW) Environmental Representative (ER)- Review of Consistency Assessment – Proposed design Boundary Changes" dated 20/11/24 Letter from Optime-E to National Intermodal titled "SSI 10053-Moorebank Avenue Realignment Works (MARW) Environmental Representative (ER)- Approved Amendments to the Construction Environmental Management Plan (CEMP) and associated sub plans and monitoring programme" dated 12/2/25 Letter from Optime to DPHI titled "Environmental Representative (ER) Monthly Report for December 2024 Project SSI 10053- Moorebank Avenue Realignment Works (MARW), dated 5/1/25 Letter from Optime to DPHI titled "Environmental Representative (ER) Monthly Report for December 2024 Project SSI 10053- Moorebank Avenue Realignment Works (MARW), dated 5/1/25 Letter from Optime to DPHI titled "Environmental Representative (ER) Monthly Report for December 2024 Project SSI 10053- Moorebank Avenue Realignment Works (MARW), dated 5/1/25 		

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> Letter from OptimE to DPHI titled "Environmental Representative (ER) Monthly Report for February 2025 Project SSI 10053- Moorebank Avenue Realignment Works (MARW), dated 4/3/25 		
A32	<p>The Proponent must provide the ER with documentation requested by the ER in order for the ER to perform their functions specified in Condition A31 (including preparation of the ER monthly report), as well as:</p> <p>(a) the complaints register (to be provided on a weekly basis or as requested); and</p> <p>(b) a copy of any assessment carried out by the Proponent of whether proposed work is consistent with the approval (which must be provided to the ER before the commencement of the subject work).</p>	<ul style="list-style-type: none"> ER Audit Interview 30/04/25. Email from National Intermodal to OptimE titled "Monthly Information for ER Report" dated 26/3/25 	<p>The ER confirmed they have been provided with the necessary documentation for them to perform their role in accordance with the CoA.</p> <p>Evidence was provided to the Auditor demonstrating issue of the complaints register to the ER.</p>	Compliant
NOTIFICATION OF COMMENCEMENT				
A33	The Department must be notified in writing of the dates of commencement of construction and operation at least one month before those dates.	<ul style="list-style-type: none"> Audit Interview 24/01/24 Email from National Intermodal to DPHI titled "MARW (SSI 10053) – Informing of Construction Commencement" dated 28/8/23. 	DPHI were formally notified of the commencement of construction by email on 28/8/23.	Compliant
AUDITING				
A34	Proposed independent Auditors must be agreed to in writing by the Planning Secretary before the commencement of an Independent Audit. This condition does not apply to the engagement of Auditors required under Condition E58.	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment – IEA Auditor Nomination" dated 7/2/23. 	DPHI approved the nominated Auditors on 7/2/23.	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A35	Independent Audits of the SSI must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (DPIE, 2020).	<ul style="list-style-type: none"> Independent DPHI Compliance Audit, SSI 10053- Moorebank Avenue Realignment Works, Rev 0 dated 26/2/24 This Audit report. 	Audits are being undertaken in accordance with the Independent Audit Post Approval Requirements (DPE, 2020) as required by this condition.	Compliant
A36	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least four weeks' notice (or timing as stipulated by the Planning Secretary) to the Proponent of the date upon which the Audit must be commenced.	<ul style="list-style-type: none"> Audit interview 18/03/25. 	The Planning Secretary has not requested Audits to be undertaken at different times to those above.	Not triggered
A37	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (DPE, 2020), the Proponent must: (a) review and respond to each Independent Audit Report prepared under Condition A35 or Condition A36; (b) submit the response to the Planning Secretary; and (c) make each Independent Audit Report and response to it publicly available 60 days after submission to the Planning Secretary, or as otherwise agreed by the Planning Secretary.	<ul style="list-style-type: none"> Audit interview 18/03/25 Letter from National Intermodal to DPHI titled "Moorebank Avenue Realignment Works – SSI 10053 Response to Independent Environmental Audit #1 dated 3/3/24 	The proponent's response to the Audit was issued to DPHI on 4/3/24 within the timeframe required by this condition.	Compliant
A38	Independent Audit Reports and the Proponent's response to Audit findings must be submitted to the Planning Secretary within two months of undertaking the independent Audit site inspection as outlined in the Independent Audit Post Approval Requirements (DPIE, 2020).	<ul style="list-style-type: none"> Audit interview 18/03/25. Letter from National Intermodal to DPHI titled "Moorebank Avenue Realignment Works – SSI 10053 Response to Independent Environmental Audit #1 dated 3/3/24 	The proponent's response to the Audit was issued to DPHI on 4/3/24 along with a copy of the Audit report.	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A39	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (DPIE, 2020), the Planning Secretary may approve a request for ongoing independent operational Audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational Audits have demonstrated operational compliance	<ul style="list-style-type: none"> Audit interview 18/03/25. 	Operational requirement, not triggered.	Not triggered
INCIDENT AND NON-COMPLIANCE NOTIFICATION AND REPORTING				
A40	The Planning Secretary must be notified via the Major Projects website immediately after the Proponent becomes aware of an incident. The notification must identify the SSI (including the application number and the name of the SSI if it has one) and set out the location and nature of the incident.	<ul style="list-style-type: none"> Audit interview 18/03/25. BMD Incident Register BMD Incident Reporting (INC_5278) 	<p>The Auditor reviewed the incident register and incident reports relevant to the Audit period. One minor oil spill occurred with appropriate actions implemented to clean up the spill and preventative actions documented.</p> <p>The Auditor notes the spill was relatively minor with no offsite effects. Clean up actions were appropriate with no residual impacts observed during the Audit site inspection.</p> <p>The Auditor considers the oil spill to be relatively minor and doesn't trigger the requirement to notify DPHI.</p>	Not triggered
A41	Subsequent notification of an incident must be given and reports submitted in accordance with the requirements set out in APPENDIX B.	<ul style="list-style-type: none"> Audit interview 18/03/25. 	No incidents have been reported to the Department to date.	Not triggered
A42	The Planning Secretary must be notified via the Major Projects website within seven days after the Proponent becomes aware of any non-compliance. The notification must identify the SSI (including the application number and the name of the SSI if it has one), set out the condition/s that is non-compliant, the nature of the breach; the reason for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	<ul style="list-style-type: none"> Audit interview 18/03/25. 	No non compliances have occurred at this stage in the project.	Not triggered

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A43	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	<ul style="list-style-type: none"> Audit interview 18/03/25. 	No non compliances or incidents have occurred at this stage in the project.	Not triggered
IDENTIFICATION OF WORKFORCE AND COMPOUNDS				
A44	The SSI name; application number; telephone number, postal address and email address required under Condition B9 of this approval must be made available on-site boundary fencing/ hoarding at each ancillary facility before the commencement of construction. This information must also be provided on the website required under Condition B13 of this approval.	<ul style="list-style-type: none"> Site inspection 18/03/25. Moorebank Avenue Realignment (MAR) Archives Moorebank Intermodal Precinct 	<p>A site notice was provided at the site entry gate with the required information.</p> <p>The Information was also provided on the project website in accordance with this condition.</p>	Compliant

Part B – COMMUNITY INFORMATION AND REPORTING				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
COMMUNITY INFORMATION, CONSULTATION, AND INVOLVEMENT				
B1	Before the commencement of construction, a Community Consultative Committee (CCC) must be established for the development in accordance with the Department's Community Consultative Committee Guidelines: State Significant Projects (2019). The CCC must begin to exercise functions in accordance with such guidelines before the commencement of construction and continue to do so for the duration of construction.	<ul style="list-style-type: none"> • Moorebank Avenue Realignment (MAR) Archives Moorebank Intermodal Precinct • Moorebank Newsletter No 26 dated December 2024 • Moorebank Newsletter No 25 dated August 24 • Moorebank Newsletter No 24 dated May 2024 • CCC meeting minutes 050924 • CCC meeting minutes 230524. 	<p>As noted below in condition B2, DPHI have approved the expansion of the Community Consultation Committee.</p> <p>A project website has been established and the minutes of CCC meetings are available on the website as well as other relevant information including the complaints register.</p>	Compliant
B2	The Planning Secretary may consider a request to expand an existing CCC for the MLP to cover the development and to satisfy Condition B1.	<ul style="list-style-type: none"> • Audit interview 18/03/25 • Letter from National Intermodal to DPHI titled "Moorebank Avenue Realignment (SSI 10053) – Request under condition B2 for expansion of existing Moorebank Logistics Park Community Consultative Committee to cover Moorebank Avenue Re-alignment" dated 5/7/23 • Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment B2- Expansion of CCC (SSI-10053) dated 10/8/22. 	<p>DPHI approved a request submitted by National Intermodal to expand the Community Consultative Committee under Condition B2 noting the request to has been submitted to the Department prior to the commencement of construction works and contains all the necessary information as required by Condition B2.</p> <p>There have been no changes to this arrangement during the Audit period.</p>	Compliant

Part B – COMMUNITY INFORMATION AND REPORTING				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
B3	<p>A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication about construction and operation of the SSI with:</p> <p>(a) the community (including adjoining affected landowners and businesses, and others directly impacted by the SSI); and</p> <p>(b) the relevant councils, EPA, EES Group, Heritage NSW, DPIE Water and Sydney Water, as applicable.</p> <p>The Strategy must address who (the Proponent, and/or construction contractor) will engage with the community, relevant councils and agencies, how they will engage and the timing of engagements.</p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit interview 18/03/25 Moorebank Avenue Realignment Works, Community Communications Strategy, dated 8/3/23 Letter from DPHI to National Intermodal titled “Moorebank Avenue Realignment (SSI-10053) Community Consultation Strategy, Condition B6”. 	<p>DPHI approved the Community Consultation Strategy noting that the CCS has been prepared to address the requirements of the relevant CoA and was submitted to the Department prior to the commencement of construction.</p> <p>During the Audit period, the CCS was revised for minor updates including a small construction footprint change, EPBC Act variation approval, and CCS update approval.</p> <p>The latest version of the CCS approved by DPGL on the 3/3/25 and was available on the project website.</p>	Compliant
B4	<p>The Community Communication Strategy must:</p> <p>(a) identify people, organisations, councils and agencies to be consulted during the design and work phases;</p> <p>(b) identify details of the community demographics;</p> <p>(c) set out procedures and mechanisms for the regular distribution of accessible information including to LOTE and CALD and vulnerable communities about or relevant to the SSI;</p> <p>(d) identify opportunities for education within the community about construction sites;</p> <p>(e) detail the measures for advising the community in advance of upcoming construction including upcoming out-of-hours work and blasting activities</p> <p>(f) provide for the formation of issue or location-based community forums that focus on key environmental management issues of concern to the relevant community(ies) for the SSI;</p> <p>(g) set out procedures and mechanisms:</p>	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled “Moorebank Avenue Realignment (SSI-10053) Community Consultation Strategy, Condition B6”. Moorebank Avenue Realignment Works, Community Communications Strategy, dated 8/3/23 Moorebank Avenue Realignment Works, Community Communications Strategy, dated 19/2/25 Letter from DPHI to National Intermodal titled “Moore bank Avenue Realignment (SSI-10053) Revised Community Communication Strategy, Condition B6” dated 3/3/25 	<p>As noted in IA # 1, DPHI approved the Community Consultation Strategy noting that the CCS has been prepared to address the requirements of the relevant conditions of consent and was submitted to the Department prior to the commencement of construction.</p> <p>During the Audit period, the CCS was revised for minor updates including a small construction footprint change, EPBC Act variation approval, and CCS update approval.</p> <p>The latest version of the CCS approved by DPGL on the 3/3/25 and was available on the project website.</p>	Compliant

Part B – COMMUNITY INFORMATION AND REPORTING				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(i) through which the community can discuss or provide feedback to the Proponent 24 hours a day, seven days per week;</p> <p>(ii) through which the Proponent will respond to enquiries or feedback from the community; and</p> <p>(iii) to resolve any issues and mediate any disputes that may arise in relation to the environmental management and delivery of the SSI, including disputes regarding rectification or compensation.</p>			
B5	The Planning Secretary may consider a request to expand an approved Community Communication Strategy for the MLP to cover the Moorebank Avenue Realignment project and to satisfy Conditions B3 and B4.	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled “Moorebank Avenue Realignment (SSI-10053) Community Consultation Strategy, Condition B6”. 	A stand-alone CCS has been prepared for the project and approved by DPHI.	Not triggered
B6	The Community Communication Strategy must be submitted to and approved by the Planning Secretary before the commencement of construction, unless otherwise agreed by the Planning Secretary.	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled “Moorebank Avenue Realignment (SSI-10053) Community Consultation Strategy, Condition B6”. 	DPHI approved the Community Consultation Strategy noting that the CCS has been prepared to address the requirements of the relevant conditions of consent and was submitted to the Department prior to the commencement of construction.	Compliant
B7	The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for the duration of the work and for 12 months following the completion of construction.	<ul style="list-style-type: none"> Moorebank Avenue Realignment (MAR) Archives Moorebank Intermodal Precinct Moorebank Newsletter No 26 dated December 2024 Moorebank Newsletter No 25 dated August 24 Moorebank Newsletter No 24 dated May 2024 	Sufficient information was provided and available on the project website to demonstrate the implementation of the CCS including community notifications, meeting minutes and complaints registers.	Compliant

Part B – COMMUNITY INFORMATION AND REPORTING				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> CCC meeting minutes 050924 CCC meeting minutes 230524. 		
COMPLAINTS MANAGEMENT SYSTEM				
B8	A Complaints Management System must be prepared and implemented before the commencement of any Work and maintained for the duration of construction and for a minimum for 12 months following completion of construction of the SSI.	<ul style="list-style-type: none"> Community Moorebank Intermodal Precinct 	The complaints management system is managed centrally for the entire project by TSA Management. There have not been any complaints received in relation to the MARW works. The system for handling complaints is included in Appendix B of the Community Communications Strategy. Further information regarding complaints received and the effectiveness of the complaints management system is provided in Section 3.4.	Compliant
B9	<p>The following information must be available to facilitate community enquiries and manage complaints one month before the commencement of work and for 12 months following the completion of construction:</p> <p>(a) a 24- hour telephone number for the registration of complaints and enquiries about the SSI;</p> <p>(b) a postal address to which written complaints and enquires may be sent;</p> <p>(c) an email address to which electronic complaints and enquiries may be transmitted; and</p> <p>(d) a mediation system for complaints unable to be resolved.</p>	<ul style="list-style-type: none"> Community Moorebank Intermodal Precinct 	<p>The relevant information is provided on the project website as follows:</p> <p>a) 24/7 complaints and enquires number – 1800 996 465.</p> <p>b) Postal address – Level 15, 207 Kent St, Sydney NSW 2000</p> <p>c) Email address – moorebank@tsamgt.com</p> <p>d) Details of the mediation system are provided in the complaints handling procedure, Appendix B of the Community Communications Strategy</p>	Compliant

Part B – COMMUNITY INFORMATION AND REPORTING				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	This information must be accessible to all regardless of age, ethnicity, disability, or literacy level.		Community newsletters are available in a variety of languages including English, Arabic, Fijian, Filipino, Hindi and Vietnamese.	
B10	<p>A Complaints Register must be maintained recording information on all complaints received about the SSI during the carrying out of any work and for a minimum of 12 months following the completion of construction. The Complaints Register must record the:</p> <ul style="list-style-type: none"> (a) number of complaints received; (b) the date and time of the complaint; (c) the method by which the complaint was made; (d) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; (e) nature of the complaint; (f) means by which the complaint was addressed and whether resolution was reached, with or without mediation; and (g) if no action was taken, the reason(s) why no action was taken. <p>Complainants must be advised, where possible, that the Complaints Register may be forwarded to Government agencies to allow them to undertake their regulatory duties.</p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit interview 18/03/25. Complaints register as of 7 April 2025 Moorebank Avenue Realignment Works – Community Communications Strategy, National Intermodal, Rev D, 7/3/23 	<p>TSA management manage the complaints centrally for all precincts.</p> <p>Refer to Section 3.4 for a description of the complaints received during the Audit period.</p> <p>Appendix D of the CCS is the complaints handling procedure</p> <p>The complaints register was provided to the auditor and includes the information required by this condition.</p> <p>Recommendation</p> <p>Update the complaints handling procedure to include the requirement to notify complainants that the register may be forwarded to government agencies in accordance with this condition.</p>	Complaint
B11	The Complaints Register must be provided to the Planning Secretary upon request, within the timeframe stated in the request.	<ul style="list-style-type: none"> Audit interview 18/03/25. 	<p>The Planning Secretary has not requested a copy of the complaints register.</p> <p>Complaints are reported monthly to DPHI via the ER report.</p>	Not triggered

Part B – COMMUNITY INFORMATION AND REPORTING				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> Letter from OptimE to DPHI titled “Environmental Representative (ER) Monthly Report for December 2024 Project SSI 10053- Moorebank Avenue Realignment Works (MARW), dated 5/1/25 Letter from OptimE to DPHI titled “Environmental Representative (ER) Monthly Report for December 2024 Project SSI 10053- Moorebank Avenue Realignment Works (MARW), dated 5/1/25 Letter from OptimE to DPHI titled “Environmental Representative (ER) Monthly Report for December 2024 Project SSI 10053- Moorebank Avenue Realignment Works (MARW), dated 5/1/25 Letter from OptimE to DPHI titled “Environmental Representative (ER) Monthly Report for February 2025 Project SSI 10053- Moorebank Avenue Realignment Works (MARW), dated 4/3/25 	Complaints are also currently, (although not required by the SSI conditions), provided to DPHI on a fortnightly basis (along with all complaints from the broader Moorebank Intermodal Precinct).	
B12	The Planning Secretary may consider a request to expand an existing Complaints Management System for the MLP to cover the Moorebank Avenue Realignment project and to satisfy Conditions B8 and B10.	<ul style="list-style-type: none"> Audit interview 18/03/25. Moorebank Avenue Realignment Works, Community Communications Strategy, dated 8/3/23 Letter from DPHI to National Intermodal titled “Moorebank Avenue Realignment (SSI-10053) Community Consultation Strategy, Condition B6”. 	Section 6 and Appendix B of the CCS includes details of the Complaints Management System and contact information line. The CCS was approved by DPE.	Compliant

Part B – COMMUNITY INFORMATION AND REPORTING				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
PROVISION OF ELECTRONIC INFORMATION				
B13	<p>A website or webpage providing information in relation to the SSI must be established before commencement of work and be maintained for the duration of construction, and for a minimum of 24 months following the completion of construction. The following up-to-date information (excluding confidential, private, commercial information or any other information that the Planning Secretary has approved to be excluded) must be published before the relevant work commences and maintained on the website or dedicated pages including:</p> <p>(a) information on the current implementation status of the SSI;</p> <p>(b) a copy of the documents listed in Condition A1, and any documentation relating to any modifications made to the SSI or the terms of this approval;</p> <p>(c) a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval;</p> <p>(d) a copy of each statutory approval, licence or permit required and obtained in relation to the SSI;</p> <p>(e) a copy of the most recently approved version of each document required under the terms of this approval; and</p> <p>(f) a copy of the reports of Audits required under the terms of this approval.</p> <p>Where the information / document relates to a particular activity or is required to be implemented, it must be published before the commencement of the relevant activity to which it relates and before its implementation.</p>	<ul style="list-style-type: none"> Moorebank Avenue Realignment (MAR) Archives Moorebank Intermodal Precinct 	<p>The project website is comprehensive and includes the relevant information as required by this condition. The website provides language interpretation services.</p> <p>The complaints register, provided on the project website covers the entire project and doesn't specify which precinct the complaint relates to.</p> <p>Recommendation</p> <p>Update the complaints register to include an additional column that documents which precinct of the intermodal terminal the complaint relates to so that it is clear which complaints relate to the MARW project.</p>	Complaint

Part B – COMMUNITY INFORMATION AND REPORTING

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	All information required in this condition must be available on the Proponent's website, ordered in a logical sequence and easy to navigate.			

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN				
C1	(A) Construction Environmental Management Plan (s) (CEMPs) must be prepared having regard to the Environmental Management Plan Guideline for Infrastructure Projects (Department of Planning, Industry and Environment, 2020). The CEMP must detail how the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1 will be implemented and achieved during construction.	<ul style="list-style-type: none"> MAR SSI-10053 Construction Waste and Resource Management Plan, March 2023 MAR SSI-10053 Construction Soil and Water Management Plan, August 2023 MAR SSI-10053 Construction Traffic and Transport Management Plan, August 2023 MAR SSI-10053 Construction Noise and Vibration Management Plan, June 2023 MAR SSI-10053 Construction Heritage Management Plan, June 2023 MAR SSI-10053 Construction Biodiversity Management Plan, June 2023 MAR SSI-10053 Construction Air Quality Management Plan, May 2023 MAR SSI-10053 Construction Bushfire Management Plan, May 2023 MAR SSI-10053 Contamination Management Plan, March 2023 MAR SSI-10053 Construction Environmental Management Plan, May 2023 Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI10053) Construction Environmental Management Plan, Conditions C1- C11" dated 6/4/23. Environmental Management Plan, Moorebank Avenue Realignment Works (MARW) National Intermodal Corporation Limited 121-2118, rev 1 dated 11/2/25 	<p>National Intermodal have prepared a comprehensive Construction Environmental Management Plan and specialist subplans addressing key environmental issues including:</p> <ul style="list-style-type: none"> Waste and resource Soil and water Traffic and transport Noise and vibration Heritage management Biodiversity Air quality Bushfire Contamination. <p>The CEMP was approved by DPE on 6/4/23 noting that the CEMP had been endorsed by the Environmental Representative and submitted at least one month prior to the commencement of construction.</p> <p>The CEMP and subplans are generally consistent with the Environmental Management Plan Guideline for Infrastructure Projects (Department of Planning, Industry and Environment, 2020)</p> <p>The construction contractor (BMD) for the MARW have prepared a standalone CEMP for the project that is aligned with the DPHI approved CEMP and BMD processes and procedures.</p>	Compliant

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C2	<p>With the exception of the CEMP(s) expressly nominated by the Planning Secretary to be endorsed by the ER, all CEMPs must be submitted to the Planning Secretary for approval.</p> <p>Note: The Planning Secretary will consider the assessment of the predicted level of environmental risk and potential level of community concern required under Condition A14(e) or A19 when deciding whether any CEMPs may be endorsed by the ER</p>	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI10053) Construction Environmental Management Plan, Conditions C1- C11" dated 6/4/23. 	<p>The CEMP was approved by DPHI on 6/4/23 noting that the CEMP had been endorsed by the Environmental Representative and submitted at least one month prior to the commencement of construction.</p>	Compliant
C3	<p>A CEMP must provide:</p> <p>(a) a description of activities to be undertaken during construction (including the scheduling of construction);</p> <p>(b) details of environmental policies, guidelines and principles to be followed in the construction of the SSI;</p> <p>(c) a program for ongoing analysis of the key environmental risks arising from the activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of construction of the SSI;</p> <p>(d) details of how the activities described in subsection (a) of this condition will be carried out to:</p> <p>(i) meet the performance outcomes stated in the documents listed in Condition A1; and</p> <p>(ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition;</p> <p>(e) an inspection program detailing the activities to be inspected and frequency of inspections;</p> <p>(f) a protocol for managing and reporting any:</p> <p>(i) incidents; and</p>	<ul style="list-style-type: none"> MAR SSI-10053 Construction Environmental Management Plan, May 2023. 	<p>The CEMP is comprehensive and addresses the requirements of this condition.</p>	Compliant

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(ii) non-compliances with this approval or statutory requirements;</p> <p>(g) procedures for rectifying any non-compliance with this approval identified during compliance Auditing, incident management or at any time during construction;</p> <p>(h) a list of all the CEMP Sub-plans to be prepared in respect of construction, as set out in documents listed in Condition A1. Where staged construction of the SSI is proposed, the CEMP must also identify which CEMP Sub-plan applies to each of the proposed stages of construction;</p> <p>(i) an organisational chart including description of the roles and environmental responsibilities for relevant employees and any independent appointments;</p> <p>(j) for training and induction for employees, including contractors and sub-contractors, in relation to environmental and compliance obligations under the terms of this approval; and</p> <p>(k) for periodic review and update of the CEMP and all associated plans and programs</p>			
C4	Any CEMP not requiring the Planning Secretary's approval must be submitted to the ER for endorsement no later than one (1) month before the commencement of construction or where construction is staged, no later than one (1) month before the commencement of that stage. That CEMP must obtain the endorsement of the ER as being consistent with the conditions of this approval and all undertakings made in the documents listed in Condition A1.	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI 10053_ Construction Environmental Management Plan, Conditions C1-C11" dated 6/4/23. 	The CEMP was approved by DPHI on 6/4/23 noting that the CEMP had been endorsed by the Environmental Representative and submitted at least one month prior to the commencement of construction.	Not triggered

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C5	Any CEMP to be approved by the Planning Secretary must be endorsed by the ER and then submitted to the Planning Secretary for approval no later than one (1) month before the commencement of construction, or where construction is staged, no later than one (1) month before the commencement of that stage.	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI 10053_ Construction Environmental Management Plan, Conditions C1-C11" dated 6/4/23. 	The CEMP was approved by DPHI on 6/4/23 noting that the CEMP had been endorsed by the Environmental Representative and submitted at least one month prior to the commencement of construction.	Compliant
C6	CEMP Sub-plans as identified in documents listed in Condition A1 must be prepared in consultation with relevant government agencies and stakeholders. Relevant government agencies and stakeholders must be nominated in the risk assessment matrix submitted to the Planning Secretary require in accordance with Condition A14 or A19. Details of all information requested by an agency during consultation must be provided to the Planning Secretary as part of any submission of the relevant CEMP Sub-plan, including copies of all correspondence from those agencies as required by Condition A5.	<ul style="list-style-type: none"> MAR SSI-10053 Construction Waste and Resource Management Plan, March 2023 MAR SSI-10053 Construction Soil and Water Management Plan, August 2023 MAR SSI-10053 Construction Traffic and Transport Management Plan, August 2023 MAR SSI-10053 Construction Noise and Vibration Management Plan, June 2023 MAR SSI-10053 Construction Heritage Management Plan, June 2023 MAR SSI-10053 Construction Biodiversity Management Plan, June 2023 MAR SSI-10053 Construction Air Quality Management Plan, May 2023 MAR SSI-10053 Construction Bushfire Management Plan, May 2023 MAR SSI-10053 Contamination Management Plan, March 2023. 	Consultation undertaken for each subplan is summarised in Appendix A with consultation records provided in Appendix A.	Compliant

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C7	<p>The CEMP Sub-plans must state how:</p> <p>(a) the environmental performance outcomes identified in the documents listed in Condition A1 will be achieved;</p> <p>(b) the mitigation measures identified in the documents listed in Condition A1 will be implemented;</p> <p>(c) the relevant terms of this approval will be complied with; and</p> <p>(d) issues requiring management during construction (including cumulative impacts), as identified through ongoing environmental risk analysis, will be managed through SMART principles.</p>	<ul style="list-style-type: none"> MAR SSI-10053 Construction Waste and Resource Management Plan, March 2023 MAR SSI-10053 Construction Soil and Water Management Plan, August 2023 MAR SSI-10053 Construction Traffic and Transport Management Plan, August 2023 MAR SSI-10053 Construction Noise and Vibration Management Plan, June 2023 MAR SSI-10053 Construction Heritage Management Plan, June 2023 MAR SSI-10053 Construction Biodiversity Management Plan, June 2023 MAR SSI-10053 Construction Air Quality Management Plan, May 2023 MAR SSI-10053 Construction Bushfire Management Plan, May 2023 MAR SSI-10053 Contamination Management Plan, March 2023 	<p>The CEMP subplans are comprehensive and address the requirements of this condition.</p>	Compliant
C8	<p>With the exception of any CEMP Sub-plans expressly nominated by the Planning Secretary to be endorsed by the ER, all CEMP sub-plans must be submitted to the Planning Secretary for approval.</p> <p>Note: The Planning Secretary will consider the assessment of the predicted level of environmental risk and potential level of community concern required under Condition A14(e) when deciding whether any CEMP Sub-plans may be endorsed by the ER</p>	<ul style="list-style-type: none"> Letter from GHD to DPHI titled “Moorebank Avenue Realignment (SSI-10053) Environmental risk assessment (Condition A19), combination of plans (Condition A6) and endorsement of nominated plans by the Environmental Representative (Condition C6)” dated 2/11/22 Letter from DPHI to National Intermodal titled “Moorebank Avenue Realignment (SSI-10053) Construction Noise and Vibration Management Plan, Conditions C8, C14 and E21” dated 15/6/23 	<p>DPHI noted the following documents to be submitted to the Planning Secretary for Approval:</p> <ul style="list-style-type: none"> Construction Environmental Management Plan (C2) Construction Noise and Vibration Management Plan (C8 and C14) Community Communications Strategy (B6). <p>As noted in the Auditors response to conditions C2, C8, C14 and B5, these CEMP subplans were submitted to and approved by the Planning Secretary in accordance with this condition.</p>	Compliant

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled "Risk Assessment for Moorebank Avenue Realignment Work (Condition A19 of SSI 10053" dated 22/11/22. 		
C9	The CEMP Sub-plans not requiring the Planning Secretary's approval must obtain the endorsement of the ER as being in accordance with the conditions of approval and all relevant undertakings made in the documents listed in Condition A1. Any of these CEMP Sub-plans must be submitted to the ER with, or subsequent to, the submission of the CEMP but in any event, no later than one (1) month before construction or where construction is staged no later than one (1) month before the commencement of that stage.	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled "Risk Assessment for Moorebank Avenue Realignment Work (Condition A19 of SSI 10053" dated 22/11/22. 	<p>DPHI approved the following subplans to be endorsed by the ER:</p> <ul style="list-style-type: none"> Construction Access and Traffic Management Plan Contamination Management Plan Construction Soil and Water Management Plan Construction Air Quality Management Plan Bushfire Management Plan Construction Waste and Resource Management Plan. <p>Appendix B of the relevant CEMP subplans provides the ER letter of endorsement.</p>	Compliant
C10	Any of the CEMP Sub-plans to be approved by the Planning Secretary must be submitted to the Planning Secretary with, or subsequent to, the submission of the CEMP but in any event, no later than one (1) month before construction or where construction is staged no later than one (1) month before the commencement of that stage.	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled "Risk Assessment for Moorebank Avenue Realignment Work (Condition A19 of SSI 10053" dated 22/11/22. 	<p>DPHI noted the following documents to be submitted to the Planning Secretary for Approval:</p> <ul style="list-style-type: none"> Construction Environmental Management Plan (C2) Construction Noise and Vibration Management Plan (C8 and C14) Community Communications Strategy (B6) <p>As noted in the Auditor's response to conditions C2, C8, C14 and B5, these CEMP subplans were submitted to and approved by the Planning Secretary in accordance with this condition.</p>	Compliant

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C11	Construction must not commence until the CEMP and all CEMP Sub-plans have been approved by the Planning Secretary or endorsed by the ER (whichever is applicable), unless otherwise agreed by the Planning Secretary. The CEMP and CEMP Sub-plans, as approved by the Planning Secretary or endorsed by the ER (whichever is applicable), including any minor amendments approved by the ER, must be implemented for the duration of construction	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI 10053_ Construction Environmental Management Plan, Conditions C1-C11" dated 6/4/23. 	The CEMP and subplans were approved by DPHI or endorsed by the ER as applicable in April 2023, construction commenced in October 2023.	Compliant
CONSTRUCTION NOISE AND VIBRATION MONITORING PROGRAM				
C12	A Construction Noise and Vibration Monitoring Program must accompany the Noise and Vibration Management Sub-plan when it is lodged for endorsement or approval in accordance with Conditions C9 and C10. The Construction Noise and Vibration Monitoring Program must be prepared in consultation with the relevant council(s) to compare actual performance of construction of the SSI against the performance predicted in the documents listed in Condition A1 or in the relevant CEMP.	<ul style="list-style-type: none"> MAR SSI-10053 Construction Noise and Vibration Management Plan, June 2023 – Appendix E. 	Appendix E of the Construction Noise and Vibration Management Plan is the Construction Noise and Vibration Monitoring Program.	Compliant
C13	<p>The Construction Noise and Vibration Monitoring Program must provide:</p> <ul style="list-style-type: none"> (a) details of baseline data available; (b) details of baseline data to be obtained and when; (c) details of all monitoring of the project to be undertaken; (d) the parameters of the project to be monitored; (e) the frequency of monitoring to be undertaken; (f) the location of monitoring; 	<ul style="list-style-type: none"> MAR SSI-10053 Construction Noise and Vibration Management Plan, June 2023 – Appendix E. 	The Construction Noise and Vibration Monitoring Program is comprehensive and addresses the requirements of this condition.	Compliant

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(g) the reporting of monitoring results and analysis results against relevant criteria;</p> <p>(h) details of the methods that will be used to analyse the monitoring data;</p> <p>(i) procedures to identify and implement additional mitigation measures where the results of the monitoring indicate unacceptable project impacts;</p> <p>(j) a consideration of SMART principles;</p> <p>(k) any consultation to be undertaken in relation to the monitoring programs;</p> <p>(l) any specific requirements outlined in the terms of this approval; and</p> <p>(m) Details of all information requested by an agency during consultation, including copies of all correspondence from those agencies as required by Condition A5.</p>			
C14	Unless expressly nominated by the Planning Secretary to be endorsed by the ER, the Construction Noise and Vibration Monitoring Program must be submitted to the Planning Secretary for approval.	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled “Moorebank Avenue Realignment (SSI-10053) Construction Noise and Vibration Management Plan, Conditions C8, C14 and E21” dated 15/6/23. 	<p>DPHI approved the Construction Noise and Vibration Management Plan noting the CNVMP:</p> <ul style="list-style-type: none"> Includes the construction noise and vibration monitoring program (CNVMP) as per conditions C14 and E21 respectively. Has been prepared to address the requirements of the relevant conditions of approval Has been submitted to the Department one month prior to the commencement of construction. 	Compliant

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C15	Unless otherwise agreed with the Planning Secretary, construction must not commence until the Construction Noise and Vibration Monitoring Program has been approved by the Planning Secretary, and all relevant baseline data for the specific construction activity has been collected.	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled “Moorebank Avenue Realignment (SSI-10053) Construction Noise and Vibration Management Plan, Conditions C8, C14 and E21” dated 15/6/23. 	Construction commenced following the endorsement of the Construction Noise and Vibration Monitoring Program by the ER on the 26 th of April 2023.	Compliant
C16	The Construction Noise and Vibration Monitoring Program, including any minor amendments approved by the ER must be implemented for the duration of construction and for any longer period set out in the monitoring program or specified by the Planning Secretary, whichever is the greater.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit interview 18/03/25. BMD 121-2119 Moorebank Avenue Realignment Works, Online Modules Beakon Template – Weekly HSE dated 21/3/25 Moorebank Avenue Realignment Works, Construction Noise and Vibration Management Plan, Rev H, January 2025. 	<p>Appendix E of the CNVMP provides details of the Construction Noise and Vibration Monitoring Program. Table 4.1 of the program details the frequency of monitoring to be undertaken including:</p> <ul style="list-style-type: none"> At the commencement of activities for which a NVIS has been prepared As required during OOH works Related to a noise complaint Low impact OOH works undertaken in accordance with CoA E20 (b) Spot checks of noise intensive plant Where required for the purposes Real time unattended noise monitoring on an as required basis. <p>Activities undertaken during the Audit period have primarily involved the establishment of the site compound. There have been no highly intensive noisy activities or activities subject to a CNVIS that would require monitoring to be undertaken in accordance with the CNVMP at this stage.</p>	Not triggered

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C17	The results of construction noise and vibration monitoring must be included in a Construction Noise Monitoring Report. The report must also include a summary of the monitoring results against the relevant noise criteria identified in the Construction Noise and Vibration Monitoring Program and be published on the Proponent's website in accordance with the reporting frequency specified in the monitoring program.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit interview 18/03/25. Moorebank Avenue Realignment Works, Construction Noise and Vibration Management Plan, Rev H, January 2025 	<p>Appendix E of the CNVMP provides details of the Construction Noise and Vibration Monitoring Program. Table 4.1 of the program details the frequency of monitoring to be undertaken including:</p> <ul style="list-style-type: none"> At the commencement of activities for which a NVIS has been prepared As required during OOH works Related to a noise complaint Low impact OOH works undertaken in accordance with CoA E20 (b) Spot checks of noise intensive plant Where required for the purposes Real time unattended noise monitoring on an as required basis. <p>Activities undertaken during the Audit period have primarily involved the establishment of the site compound. There have been no highly intensive noisy activities or activities subject to a CNVIS that would require monitoring to be undertaken in accordance with the CNVMP at this stage.</p>	Not triggered

Part D – OPERATIONAL ENVIRONMENTAL MANAGEMENT				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
OPERATIONAL ENVIRONMENTAL MANAGEMENT				
D1	An Operational Environmental Management Plan (OEMP) must be prepared having regard to the Environmental Management Plan Guideline for Infrastructure Projects (Department of Planning, Industry and Environment, 2020). The OEMP must detail how the performance outcomes, commitments and mitigation measures made and identified in the documents listed in Condition A1 will be implemented and achieved during operation. Condition D1 does not apply if Condition D2 of this approval applies.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	Not triggered, operational requirement.	Not Triggered
D2	<p>An OEMP is not required for the SSI if the Proponent has an Environmental Management System (EMS) or equivalent as agreed with the Planning Secretary, and demonstrates, to the satisfaction of the Planning Secretary, that through the EMS or equivalent:</p> <p>(a) the performance outcomes, commitments and mitigation measures, made and identified in the documents listed in Condition A1, and specified relevant terms of this approval can be achieved;</p> <p>(b) issues identified through ongoing risk analysis can be managed; and</p> <p>(c) procedures are in place for rectifying any non-compliance with this approval identified during compliance Auditing, incident management or any other time during operation.</p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	Not triggered, operational requirement.	Not triggered
D3	Where an OEMP is required or an EMS adopted, measures to maintain infrastructure and to manage operational impacts to biodiversity and stormwater must be included.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	Not triggered, operational requirement.	Not triggered

Part D – OPERATIONAL ENVIRONMENTAL MANAGEMENT				
ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
D4	<p>The OEMP or EMS or equivalent as agreed with the Planning Secretary, must be submitted to the Planning Secretary for information no later than one month before the commencement of operation.</p> <p>The OEMP or EMS or equivalent as agreed with the Planning Secretary, as submitted to the Planning Secretary and amended from time to time, must be implemented for the duration of operation and the OEMP or EMS or equivalent must be made publicly available before the commencement of operation.</p>	<ul style="list-style-type: none"> • Site Inspection 18/03/25 • Audit Interview 18/03/25. 	Not triggered, operational requirement.	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
CONSTRUCTION AIR QUALITY				
E1	Measures must be implemented to minimise and manage the emission of dust, odour and other air pollutants during construction.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	Very minor ground disturbance activities were being undertaken at the time of the Audit. No dust or other pollutants were observed during the Audit site inspection. The site compound was established on an existing hardstand area with no exposed soil that could generate dust.	Compliant
BIODIVERSITY				
E2	The SSI must not directly intrude on to the lands established as a Biobanking site under BioBanking agreement No. 341.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	No intrusion on the lands established as a Biobanking site under the BioBanking agreement No. 341 were observed during the Audit site inspection.	Compliant
E3	The clearing of native vegetation must not exceed the clearing footprint identified in the documents listed in Condition A1. All practicable measures to reduce the clearing of native vegetation within the clearing footprint must be undertaken, with the objective of reducing impacts to threatened ecological communities and threatened species habitat.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	<p>Very minor amounts of clearing have been undertaken to date for investigation works. Mainline clearing is yet to commence. Further assessment will be undertaken during subsequent Audits as clearing activities progress. The compound established during the Audit period is on a previously cleared and paved hardstand area.</p> <p>Boundary flagging was provided on site to prevent impact outside the approved project boundary.</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E4	Before the commencement of works, a Biodiversity Offset Strategy must be prepared in consultation with EES Group and DAWE.	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI-10053) Biodiversity Offset Strategy Condition E4, dated 19/10/23 Moorebank Avenue Realignment Works, Biodiversity Offset Strategy, WSP, September 2023. 	A Biodiversity Offset Strategy (BOS) has been prepared by an experienced ecologist. Section 4.2 of the BOS provides details of consultation undertaken in preparing the BOS. The BOS was submitted to DPHI on 25/9/23. DPHI noted receipt of the document on 19/10/23.	Compliant
E5	Before any impact on the species or community types to be offset, the number and classes of biodiversity credits (like-for-like) set out in Tables 7.8, 7.9, 7.10 and 7.11 of the revised Biodiversity Development Assessment Report (version 5), prepared by EMM and dated 24 May 2021, must be retired	<ul style="list-style-type: none"> Letter from National Intermodal to DPHI titled "Moorebank Avenue Realignment (SSI 10053)- Biodiversity Credits" dated 20/7/23. 	The letter from National Intermodal to DPHI provides details of the retirement of biodiversity credits including a credit retirement report.	Compliant
E6	The requirement to retire like-for-like ecosystem credits and species credits in Condition E5 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of ecosystem credits and species credits.	<ul style="list-style-type: none"> Letter from National Intermodal to DPHI titled "Moorebank Avenue Realignment (SSI 10053)- Biodiversity Credits" dated 20/7/23. 	The letter from National Intermodal to DPHI provides details of the retirement of biodiversity credits including a credit retirement report	Compliant
E7	Where evidence of compliance with the Ancillary rules: Reasonable steps to seek like-for-like biodiversity credits for the purpose of applying the variation rules (OEH, 2017) has been provided to the Planning Secretary, variation rules may be applied to retire the relevant ecosystem credits and species credits as set out in a BAM Credit Summary Report (Variation).	<ul style="list-style-type: none"> Letter from National Intermodal to DPHI titled "Moorebank Avenue Realignment (SSI 10053)- Biodiversity Credits" dated 20/7/23 Letter from DPHI to National Intermodal titled "Moorebank Realignment (SSI - 10053) Biodiversity Credits, Condition E7" dated 24/5/23. 	DPHI have acknowledged that the evidence of compliance with the Ancillary rules: Reasonable Steps to seek like-for- like biodiversity credits for the purpose of applying the variation rules (OEH 2017) has been provided to the Department as per condition of E7.	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E8	Evidence of the retirement of credits in satisfaction of Condition E5 or payment to the Biodiversity Conservation Fund in satisfaction of Condition E6 must be provided to the Planning Secretary and DAWE before any impact on the species or community types to be offset	<ul style="list-style-type: none"> Letter from National Intermodal to DPHI titled "Moorebank Avenue Realignment (SSI 10053)- Biodiversity Credits" dated 20/7/23 Letter from DPHI to National Intermodal titled "Moorebank Realignment (SSI -10053) Biodiversity Credits, Condition E7" dated 24/5/23. 	DPHI have acknowledged that the evidence of compliance with the Ancillary rules: Reasonable Steps to seek like-for- like biodiversity credits for the purpose of applying the variation rules (OEH 2017) has been provided to the Department as per condition of E7.	Compliant
E9	<p>Before vegetation clearing, the Proponent must consult with Liverpool City Council, Landcare groups and relevant government agencies to determine if:</p> <p>(a) hollows, tree trunks, mulch, bush rock and root balls salvaged from native vegetation impacted by the SSI; and</p> <p>(b) collected plant material, seeds and / or propagated plants from native vegetation impacted by the SSI, could be used by others in habitat enhancement, beneficial re-use and rehabilitation work, before pursuing other disposal options</p>	<ul style="list-style-type: none"> Audit Interview, 18/3/25 Email from National Intermodal to Liverpool Council dated 27/9/23 Landcare enquiry acknowledgment. 	<p>Only minor amounts of clearing have been undertaken to date. Consultation with both Liverpool City Council and Landcare has been initiated.</p> <p>LCC and Landcare have not identified opportunities to reuse materials in accordance with this condition at this stage.</p> <p>It was noted during the Audit interview that an opportunity to reuse materials for the rehabilitation of the disused rail spur adjacent to the site.</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
FLOODING				
E10	<p>Measures identified in the documents listed in Condition A1 to maintain or improve flood characteristics must be incorporated into the detailed design of the SSI. The incorporation of these measures into the detailed design must be reviewed and endorsed by a suitably qualified and experienced person in consultation with directly affected landowners, DPI Water, DPI Fisheries, OEH, NSW State Emergency Service (SES) and relevant Councils. For the purposes of this condition, "maintain" means:</p> <p>(a) a maximum increase in inundation levels upstream of the SSI of 50 mm in a 1% AEP rainfall event within the broader floodplain. Localised changes associated with engineered drainage structures and drainage paths as set out in the EIS (per the documents in Condition A1) would also be considered as maintaining flood characteristics in relation to this condition; and</p> <p>(b) a maximum increase in inundation time of one hour in a 1% AEP rainfall event</p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. Moorebank Avenue Realignment Works (MARW) – Flood Investigation Report – 100% Detailed design report, Arcadis 5/2/24 	<p>The Auditor was provided with a copy of the 100 % MARW Flood Investigation Report. The Executive Summary of the Report notes</p> <p>"the identified flood impacts were documented in the previous version of the report (Flood Investigation Report – 85% detailed, which was provided to TfNSW and other relevant stakeholders including Sydney Trains (TfNSW), Liverpool Council, DPI Water, DPI Fisheries and NSW SES during the consultation period. No objection/concern regarding those impacts has been raised in their review comments received to date"</p> <p>Section 1.1 of the Flood Investigation Report notes documents the design criteria for the project.</p> <p>Auditor Note:</p> <p>The Auditor understands that National Intermodal and TfNSW are still in discussions in relation to this item. Therefore, compliance with this condition is ongoing. The compliant finding is therefore based on information provided to date with further assessment required during future audits to close out the requirements of this condition.</p>	Compliant
E11	<p>Flood information including flood reports, models and geographic information system outputs, and work as executed information from a registered surveyor certifying finished ground levels and the dimensions and finished levels of all structures within the flood prone land, must be provided to the relevant Council, OEH and the SES in order to assist in preparing relevant documents and to reflect changes in flood behaviour as a result of the SSI.</p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	<p>Not required to be completed until the completion of construction work.</p>	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	The Council, OEH and the SES must be notified in writing that the information is available no later than one month following the completion of construction. Information requested by the relevant Council, OEH or the SES must be provided no later than six months following the completion of construction or within another timeframe agreed with the relevant Council, OEH and the SES.			
HERITAGE				
E12	The Proponent must take all reasonable steps so as not to harm, modify or otherwise impact heritage items or Aboriginal objects except as authorised by this approval.	<ul style="list-style-type: none"> • Site Inspection 18/03/25 • Audit Interview 18/03/25 • Environmental Work Method Statement, Moorebank Logistics Park – Moorebank Avenue Realignment Works. • Letter from Artefact to National Internodal, titled “Moorebank Avenue Realignment Works Surface Collection Completion Memo” dated 30/8/24 • BMD 121-2119 Moorebank Avenue Realignment Works, Online Modules • Beakon Template – Weekly HSE dated 21/3/25 	<p>Several Environmental Work Method Statements (EWMS) have been prepared and are being implemented. The current EWMS includes the details of a site inspection undertaken by a heritage consultant, mapping of heritage sites as well as a risk assessment.</p> <p>During the Audit period the salvage of heritage artefacts was undertaken and a completions memo prepared.</p> <p>The Auditor observed heritage items to be clearly delineated with boundary fencing.</p> <p>The BMD project induction includes details of heritage management requirements as well as unexpected finds protocols.</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E13	An Unexpected Heritage Finds and Human Remains Procedure must be prepared to manage unexpected heritage finds in accordance with any guidelines and standards prepared by the Heritage Council of NSW or Heritage NSW.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25 Moorebank Avenue Realignment Works, Construction Heritage Management Plan, 8/5/25. 	The unexpected finds and human remains procedures are included as Appendix D of the Heritage Management Plan.	Compliant
E14	The Unexpected Heritage Finds and Human Remains Procedure must be prepared by a suitably qualified and experienced heritage specialist in consultation with the Heritage Council of NSW and Heritage NSW and submitted to the Planning Secretary for information no later than one month before the commencement of construction.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25 Moorebank Avenue Realignment Works, Construction Heritage Management Plan, 8/5/25. 	No unexpected finds encountered during the Audit period	Compliant
E15	<p>The Unexpected Heritage Finds and Human Remains Procedure, as submitted to the Planning Secretary, must be implemented for the duration of construction.</p> <p>Note: Human remains that are found unexpectedly during the carrying out of work may be under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately. Management of human remains in NSW is subject to requirements set out in the Public Health Act 2010 and Public Health Regulation 2012.</p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	There have been limited ground disturbance activities to date. No unexpected finds have been encountered during the Audit period.	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E16	Before commencement of construction that has the potential to impact upon areas of archaeological significance as defined in the documents listed in Condition A1, a revised Archaeological Research Design and Excavation Methodology must be prepared in accordance with the Heritage Council of NSW guidelines. The revised methodology must be prepared in consultation with Heritage NSW and submitted to the Planning Secretary for information.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. Moorebank Avenue Realignment Works, Construction Heritage Management Plan, Arcadis, Rev I dated 22/01/25 	Section 6.2.1 of the CHMP notes the following: <i>“As there are no identified areas of archaeological significance within the Project site, and no historical archaeological excavation is proposed, an Archaeological Research Design and Excavation Methodology (NSW CoA E16 and E17) is not required”</i>	Not triggered
E17	Before commencement of archaeological excavation, the Proponent must nominate a suitably qualified Excavation Director who complies with Heritage NSW's Criteria for Assessment of Excavation Directors (September 2019) to oversee and advise on matters associated with historical archaeology. The Excavation Director must be present to oversee excavation, advise on archaeological issues, advise on the duration and extent of oversight required during archaeological excavations consistent with the approved Archaeological Research Design and Excavation Methodology required by Condition E16.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	As noted above, there is no requirement for archaeological excavation, and therefore an Excavation Director is not needed.	Not triggered
NOISE AND VIBRATION				
E18	Work must only be undertaken during the following hours: (a) 7:00am to 6:00pm Mondays to Fridays, inclusive; (b) 8:00am to 1:00pm Saturdays; and (c) at no time on Sundays or public holidays.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	All work has been undertaken within the approved hours. No complaints have been received due to any out of hours works.	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
Noise and Vibration: Highly Noise Intensive Work				
E19	<p>Except as permitted by an EPL, highly noise intensive works that result in an exceedance of the applicable NML at the same receiver must only be undertaken:</p> <p>(a) between the hours of 8:00 am to 6:00 pm Monday to Friday;</p> <p>(b) between the hours of 8:00 am to 1:00 pm Saturday; and</p> <p>(c) if continuously, then not exceeding three hours, with a minimum cessation of work of not less than one hour.</p> <p>For the purposes of this condition, 'continuously' includes any period during which there is less than one hour between ceasing and recommencing any of the work.</p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	<p>No highly intensive noisy activities have been undertaken, work undertaken to date has been limited to minor clearing, geotechnical drilling, minor utility works and establishment of site compounds.</p> <p>No major excavations requiring use of rock breakers has been undertaken during the audit period.</p>	Not triggered
E20	<p>Notwithstanding Conditions E18 and E19 work may be undertaken outside the hours specified in any of the following circumstances:</p> <p>(a) Safety and Emergencies, including:</p> <p>(i) for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or</p> <p>(ii) where it is required in an emergency to avoid injury or the loss of life, to avoid damage or loss of property or to prevent environmental harm.</p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	<p>No work has been undertaken outside these hours in accordance with this condition.</p>	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>On becoming aware of the need for emergency work in accordance with Condition E20(a)(ii), the Proponent must notify the ER, the Planning Secretary and the EPA of the reasons for such work. The Proponent must use best endeavours to notify all noise and/or vibration affected sensitive land user(s) of the likely impact and duration of those work or</p> <p>(b) Low impact, including:</p> <p>(i) construction that causes LAeq(15 minute) noise levels:</p> <ul style="list-style-type: none"> no more than 5 dB(A) above the rating background level at any residence in accordance with the ICNG, and no more than the 'Noise affected' NMLs specified in Table 3 of the ICNG at other sensitive land user(s); and <p>(ii) construction that causes:</p> <ul style="list-style-type: none"> continuous or impulsive vibration values, measured at the most affected residence are no more than the preferred values for human exposure to vibration, specified in Table 2.2 of Assessing Vibration: a technical guideline (DEC, 2006), and intermittent vibration values measured at the most affected residence are no more than the preferred values for human exposure to vibration, specified in Table 2.4 of Assessing Vibration: a technical guideline (DEC, 2006) or 			

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(c) By Approval, including:</p> <ul style="list-style-type: none"> (i) where different construction hours are permitted or required under an EPL in force in respect of the SSI; or (ii) work which is not subject to an EPL that are approved under an Out-of-Hours Work Protocol as required by Condition E21; or (iii) negotiated agreements with directly affected residents and sensitive land user(s). 			
E21	<p>An Out-of-Hours Work Protocol must be prepared to identify a process for the consideration, management and approval of work which is outside the hours defined in Conditions E18, and that are not subject to an EPL. The Protocol must be approved by the Planning Secretary before commencement of Out-of-Hours Work. The Protocol must be prepared in consultation with the ER. The Protocol must provide:</p> <p>(a) identification of low and high-risk activities and an approval process that considers the risk of activities, proposed mitigation, management, and coordination, including where:</p> <ul style="list-style-type: none"> (i) the ER reviews all proposed out-of-hours activities and confirm their risk levels, (ii) low risk activities can be approved by the ER, and (iii) high risk activities are approved by the Planning Secretary; 	<ul style="list-style-type: none"> • Site Observations 18/03/25 • Audit Interview 18/03/25 • Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI-10053) Construction Noise and Vibration Management Plan, Conditions C8, C14 and E21" dated 15/6/23. 	<p>The Construction Noise and Vibration Management Plan includes the OOH works protocol. The Plan has been endorsed the ER.</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(b) a process for the consideration of and justification for out-of-hours work against the relevant NML and vibration criteria;</p> <p>(c) a process for selecting and implementing mitigation measures for residual impacts in consultation with the Community Consultative Committee, established by Condition B1, at each affected location, including respite periods. The measures must take into account the predicted noise levels and the likely frequency and duration of the out-of-hours work that sensitive land user(s) would be exposed to, including the number of noise awakening events;</p> <p>(d) procedures to facilitate the coordination of out-of-hours work including those approved by an EPL or undertaken by a third party, to ensure appropriate respite is provided; and</p> <p>(e) notification arrangements for affected receivers for all approved out-of-hours work and notification to the Planning Secretary of approved low risk out-of-hours work.</p>			
E22	<p>Mitigation measures must be implemented with the aim of achieving the following construction noise management levels and vibration objectives:</p> <p>(a) construction 'Noise affected' NMLs established using the Interim Construction Noise Guideline (DECC, 2009);</p> <p>(b) vibration criteria established using the <i>Assessing vibration: a technical guideline</i></p> <p>(c) (DEC, 2006) (for human exposure);</p> <p>(d) Australian Standard AS 2187.2 - 2006 "Explosives - Storage and Use - Use of Explosives";</p>	<ul style="list-style-type: none"> • Site Inspection 18/03/25 • Audit Interview 18/03/25. 	<p>During the Audit period, the only activities undertaken include the establishment of the site compound and environmental controls such as sandbags and boundary flagging.</p> <p>The work has been undertaken during daytime hours. The nearest residential receivers are approximately 400-600 m from the work to the west and the site is directly adjacent to an industrial area and near Moorebank Avenue with high background noise levels due to traffic. There have been no construction noise related complaints during the Audit period.</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(e) BS 7385 Part 2-1993 “<i>Evaluation and measurement for vibration in buildings Part 2</i>” as they are “applicable to Australian conditions”; and</p> <p>(f) the vibration limits set out in the <i>German Standard DIN 4150-3: Structural Vibration-effects of vibration on structures</i> (for structural damage).</p> <p>Work that exceeds the noise management levels and/or vibration criteria must be managed in accordance with the commitments made in the documents listed in Condition A1.</p> <p>Note: The ICNG identifies ‘particularly annoying’ activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction NML.</p>			
E23	Work resulting in noise levels above the relevant NMLs at community, religious, educational institutions, noise and vibration-sensitive businesses and critical working areas (such as theatres, laboratories and operating theatres) must not be timetabled during sensitive periods, unless other reasonable arrangements with the affected institutions, businesses or facilities are made at no cost to the affected institution.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	During the Audit period, the only activities undertaken include the establishment of the site compound and environmental controls such as sandbags and boundary flagging. These works are relatively low impact and would not have resulted in an exceedance of the NMLs at any sensitive receiver.	Not triggered
E24	At no time can noise generated by construction exceed the National Standard for exposure to noise in the occupational environment of an eight-hour (8 hr) equivalent continuous A-weighted sound pressure level of LAeq,8h of 85 dB(A) for any employee working at a location near the SSI.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	During the Audit period, the only activities undertaken include the establishment of the site compound and environmental controls such as sandbags and boundary flagging. These works are relatively low impact and would not have resulted in an exceedance of the NMLs at any sensitive receiver.	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E25	<p>Industry best practice construction methods must be implemented where reasonably practicable to minimise noise levels. Practices must include, but are not limited to:</p> <ul style="list-style-type: none"> a) use of regularly serviced low sound power equipment; b) scheduling of noisiest works during standard construction hours; c) temporary noise barriers (including the arrangement of plant and equipment) around noisy equipment and activities such as rockhammering and concrete cutting; and d) use of alternative construction and demolition techniques. 	<ul style="list-style-type: none"> • Site Inspection 18/03/25 • Audit Interview 18/03/25. 	<p>A Construction Noise and Vibration Management Plan (CNVMP) has been prepared which documents the management measures during the construction phase to mitigate noise impacts. The CNVMP provides details of the following:</p> <ul style="list-style-type: none"> • Working hours with respite provisions for highly intensive noisy activities (such as rock breaking) • Construction noise management levels and vibration criteria • Timetabling of noisy work at community, religious, educational and other sensitive premises • Industry best practice measures • Construction Noise and Vibration Impact Statements (CNVIS) <p>During the site inspection, there were no noisy activities observed (such as clearing, earthworks) and no construction noise related complaints have been received during the audit period.</p> <p>BMD noted that as part of their procurement process, contractors with modern equipment are engaged to avoid older (and noisier) models. An electronic system has been implemented to allow contractors to upload their maintenance records to ensure plant is maintained to minimise noise. Construction Method Statements (CMS) are prepared to ensure best practice methodologies and equipment is used.</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E26	<p>Construction Noise and Vibration Impact Statements (CNVIS) must be prepared for any work that may exceed the noise management levels or vibration criteria specified in Condition E22 at any residence outside construction hours identified in Condition E18, or where receivers will be highly noise affected. The CNVIS must include specific mitigation measures identified through consultation with affected sensitive land user(s) and the mitigation measures must be implemented for the duration of the work. A copy of the CNVIS must be provided to the ER before the commencement of the associated work. The Planning Secretary may request a copy/ies of CNVIS.</p>	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. 	<p>During the Audit period, the only activities undertaken include the establishment of the site compound and environmental controls such as sandbags and boundary flagging. These works are relatively low impact and would not have resulted in an exceedance of the noise and vibration criteria noted in Condition E22.</p>	Not triggered
E27	<p>Work undertaken for the delivery of the SSI, including those undertaken by third parties (such as utility relocations), must be coordinated to provide respite. The Proponent must:</p> <p>(a) reschedule work to provide respite to impacted noise sensitive land user(s); or</p> <p>(b) consider the provision of alternative respite or mitigation to impacted noise sensitive land user(s); and</p> <p>(c) provide documentary evidence to the ER in support of any decision made by the Proponent in relation to respite or mitigation.</p> <p>The consideration of respite must also include other CSSI, SSI and SSI projects which may cause cumulative and/or consecutive impacts at receivers affected by the delivery of the SSI</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	<p>The work undertaken during the Audit period have not resulted in noise impacts that would warrant respite or scheduling.</p>	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E28	Within 12 months of the commencement of operation of the SSI, the Proponent must measure for an appropriate period, operational noise to compare performance of the SSI again	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Operational requirement- not triggered.	Not triggered
E29	<p>The findings of the operational noise monitoring carried out under Condition E28 must be documented in an Operational Noise Compliance Report (ONCR). The ONCR must be prepared in accordance with the Model Validation Guideline (RMS, 16 May 2018 Version 1.1) and must address the following:</p> <p>(a) compliance with the operational noise levels predicted in the documents listed in Condition A1;</p> <p>(b) compliance with the operational noise levels in terms of criteria and noise goals established in the NSW Road Noise Policy (DECCW, 2011) and NSW Noise Policy for Industry (EPA, 2017);</p> <p>(c) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which SSI noise levels are ascertained, with specific reference to locations indicative of impacts on receivers;</p> <p>(d) details of any complaints and enquiries received in relation to operational noise generated by the SSI between the date of commencement of operation and the date the report was prepared;</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Operational requirement- not triggered.	Not Triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(e) any required recalibrations of the noise model taking into consideration factors such as noise monitoring and actual traffic numbers and proportions;</p> <p>(f) an assessment of the performance and effectiveness of applied noise mitigation measures, where implemented, together with a review and if necessary, reassessment of mitigation measures; and</p> <p>(g) identification of additional measures to those identified in the documents listed in Condition A1, that would be implemented with the objective of meeting the criteria outlined in the NSW Road Noise Policy (DECCW, 2011) and NSW Noise Policy for Industry (EPA, 2017), when these measures are to be implemented and how their effectiveness is to be measured and reported to the Planning Secretary.</p> <p>The Operational Noise Compliance Report must be submitted to the Planning Secretary within 60 days of completing the operational noise monitoring and made publicly available.</p>			

SOCIO-ECONOMIC, LAND USE AND PROPERTY

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E30	The Proponent must identify the utilities and services (hereafter “services”) potentially affected by construction to determine requirements for diversion, protection and/or support. Alterations to services must be determined by negotiation between the Proponent and the service providers. The Proponent, in consultation with service providers, must avoid, where practical, disruption to services resulting from the Activity and identified disruptions are advised to customers.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. MARW Utilities Register Moorebank Avenue Realignment Works (Utility Schedule), Sheets dated 26/3/25 Email from BGIS to National Intermodal titled “MARWC IFC Rev01 Issue For Information” dated 18/3/24 Construction drawings” Liverpool Council Area- traffic signals at Moorebank Avenue and Dispatch Loop Holsworthy” dated Letter form Optus to BMD Constructions titled “Underground to Underground Relocation” dated 25/3/25 	<p>A register of utilities has been prepared which provides details of:</p> <ul style="list-style-type: none"> Utility owner Type of asset Location Technical details Proposed treatment Conflict description <p>Detailed plans have also been prepared highlighting the location of utilities along with correspondence with utilities authorities demonstrating consultation and negotiation has occurred.</p>	Compliant
SOILS				
E31	Before the commencement of any work, erosion and sediment controls must be installed and maintained in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the ‘Blue Book’.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25 EWMS 	There has been limited activities resulting in ground disturbance. The erosion and sediment controls observed during the site inspection were consistent with the Blue Book and were appropriate for the activities being undertaken.	Compliant
E32	A NSW EPA-accredited Site Auditor must be engaged throughout the duration of work to oversee work relating to soil or groundwater contamination, management and remediation. If work relating to soil or groundwater contamination is to be completed in stages, the site Auditor must confirm satisfactory completion of each stage by the issuance of Interim Audit Advice/s.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25 Letter from DPHI to National Intermodal titled “Moorebank Avenue Realignment (SSI-10053) Interim Audit Advice and Sampling Analysis and Quality Plan. Condition E33” dated 3/8/23. 	The DPE letter dated 3/8/23 confirms the appointment of Enviroview as the NSW - EPA Accredited Site Auditor under the <i>Contaminated Land Management Act 1997</i> .	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E33	An Interim Audit Advice, prepared by a NSW EPA-accredited Site Auditor, must be submitted to the Planning Secretary which verifies that the Sampling Analysis and Quality Plan, included in the documents listed in Condition A1, is appropriate for the scope of targeted investigations in areas before the implementation of the Sampling Analysis and Quality Plan.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25 Letter from Enviroview titled "Site Audit Interim Advice-Review and Approval of the revised Moorebank Avenue Realignment Works, Sampling, Analysis and Quality Plan, prepared by Arcadis" dated 4/7/23 Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI-10053) Interim Audit Advice and Sampling Analysis and Quality Plan. Condition E33" dated 3/8/23. 	<p>The letter from Enviroview dated 4/7/23 notes that <i>"with consideration to comments above, the Arcadis SAQP is agreed to and approved by the Site Auditor and is considered appropriate for the scope of targeted investigations. The Interim Advice can be presented in compliance with condition E33 of the State Significant Infrastructure Approval SSI -11053"</i>.</p> <p>The letter from DPHI dated 3/8/23 notes the interim Audit advice dated 4 July 2023:</p> <ul style="list-style-type: none"> Has been prepared and issued by a NSW EPA Accredited Site Auditor under the Contaminated Land Management Act 1997 Agrees to and approves the SAQP, Revision E dated 7 July 2023 as updated and is considered appropriate for the scope of targeted investigations before the implementation of the SAQP. Indicates that it does not constitute the final Site Audit Report and/or Site Audit Statement and Has been submitted to the Department prior to construction 	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E34	The targeted investigations must be undertaken before commencement of construction in accordance with the Sampling Analysis and Quality Plan. Reporting of findings must be prepared in accordance with the relevant guidelines made or approved by the EPA under Section 105 of the Contaminated Land Management Act 1997 by a person(s) accredited under the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. National Intermodal, Moorebank Avenue Realignment Project, Targeted Site Contamination Investigation Report, May 2024, WSP, Rev D, 17/5/24 	<p>The targeted site investigations have been completed, and a report finalised. Section 9.2 of the report details the soil sampling scope as defined in Section 7 of the SAQP (Arcadis, 2023) Appendix A.</p> <p>Both the author and reviewer are accredited CPENV professionals</p>	Compliant
E35	If the targeted site investigations required by Condition E34 indicate that remediation is required to make land suitable for the final intended land use, a Remedial Action Plan must be prepared or reviewed and approved, by a person(s) certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.	<ul style="list-style-type: none"> Site Inspection 18/03/25 Audit Interview 18/03/25. National Intermodal, Moorebank Avenue Realignment Project, Targeted Site Contamination Investigation Report, May 2024, WSP, Rev D, 17/5/24 National Intermodal, Remediation Action Plan, Moorebank Re-alignment Project, WSP, Rev C dated 5/7/24 	<p>The targeted investigations identified the following contamination issues:</p> <ul style="list-style-type: none"> Fill material impacted with asbestos fines and friable asbestos (considered friable) at a location in the Southern Investigation Area within the Sydney Trains owned land Stockpiles impacted with bonded asbestos in the Southern investigation Area B within the Sydney Trains owned land Sediment impacted with organochlorine pesticides within the Anzac Creek Culvert crossing area <p>The target investigations recommended the preparation of a Remediation Action Plan to document remediation of the identified asbestos contaminated soils at the southern investigation Area (B) (within the Sydney Trains Land) and the organochlorine pesticides (OCP) hot spot identified within the Anzac Creek Culvert crossing.</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
			<p>Following completion of the targeted investigations a Remediation Action Plan was prepared by WSP.</p> <p>Both the author and reviewer of the RAP are accredited CPENV professionals.</p> <p>At the time of the Audit, remediation had not commenced.</p>	
E36	<p>The Remedial Action Plan must be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the Contaminated Land Management Act 1997. The Remedial Action Plan must be submitted to the Planning Secretary for information before remediation commences.</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. National Intermodal, Remediation Action Plan, Moorebank Re-alignment Project, WSP, Rev C dated 5/7/24 Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI-10053) Remedial Action Plan, Condition E36" dated 14/2/25 	<p>DPHI acknowledged receipt of the RAP on 14/2/25 noting the RAP:</p> <ul style="list-style-type: none"> Has been prepared in accordance with the relevant guideline with made by NSW EPA under section 105 of the <i>Contaminated Land Management Act (1997)</i> and Has been submitted to the Department before remediation commencement. 	Compliant
E37	<p>The Remedial Action Plan must include measures to remediate contamination at the site to make the site suitable for the proposed use and detail how the environmental and human health risks will be managed during the disturbance, remediation and/or removal of contaminated soil/sediment or groundwater.</p> <p>Nothing in this condition prevents the preparation of individual Remedial Action Plans for separate sites.</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. National Intermodal, Remediation Action Plan, Moorebank Re-alignment Project, WSP, Rev C dated 5/7/24 Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI-10053) Remedial Action Plan, Condition Letter from Enviroview to National Intermodal titled "Site Audit Interim Advice – Review of the National Intermodal Moorebank Avenue Realignment Project, Revised Remediation Action Plan, prepared by WSP EMM Consulting" dated 25/7/24 	<p>The Remediation Action Plan is comprehensive and has been endorsed by the Contaminated Sites Auditor.</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E38	<p>Before implementing a required Remedial Action Plan, an Interim Audit Advice or Section B Site Audit Statement(s) prepared by a NSW EPA-Accredited Site Auditor must be submitted to the Planning Secretary, for information, that certifies that implementation of the Remedial Action Plan would make the site suitable for the proposed use</p> <p>Nothing in this condition prevents the Proponent from engaging the Site Auditor to prepare Site Audit Statements for separate sites</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. Letter from Enviroview to National Intermodal titled "Site Audit Interim Advice – Review of the National Intermodal Moorebank Avenue Realignment Project, Revised Remediation Action Plan, prepared by WSP EMM Consulting" dated 25/7/24 	<p>An interim Audit Advice was provided on 25/7/24 and noted the following:</p> <p><i>"Based on the review of the site investigation works and the review of an earlier version of the RAP, the above referenced RAP is approved by the Site Auditor, and it is the opinion of the Site Auditor that if implemented the site can be made suitable for the proposed land use"</i></p>	Compliant
E39	<p>If remediation is required, a Validation Report must be prepared and submitted to the Planning Secretary for information for the development before commencement of use. The Validation Report must be prepared, or reviewed and approved, by a person(s) certified under the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme. The Validation Report must:</p> <p>(a) be prepared in accordance with the relevant guidelines made or approved by the EPA under section 105 of the Contaminated Land Management Act 1997.</p> <p>(b) include, but not be limited to:</p> <p>i. comment on the extent and nature of the remediation undertaken;</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	<p>As noted above, a Remediation Action Plan has been prepared and endorsed by the Contaminated Sites Auditor. Remediation of the site had not commenced at the time of the Audit. The validation report is required to be prepared following completion of remediation.</p>	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>ii. describe the location, nature and extent of any remaining contamination as well as any ongoing management requirements;</p> <p>iii. classification and appropriate removal/disposal of the stockpiled materials;</p> <p>iv. clearance survey of unexploded ordnance (UXO), Explosive Ordnance, and removal of Explosive Ordnance Waste (EOW);</p> <p>v. sampling and analysis and sampling methodology undertaken as part of the remediation;</p> <p>vi. if treated material is to remain on the subject site, results of sampling of treated material, compared with treatment criteria specified in the Remedial Action Plan required by Condition E35;</p> <p>vii. results of any validation sampling, compared to relevant guidelines/criteria; and</p> <p>viii. comment on the suitability of the area for the intended land use;</p> <p>(c) be submitted to the Planning Secretary and DAWE for information one month after the completion of remediation works.</p>			

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E40	Before opening of the road to traffic, land subject to the Remedial Action Plan must not be used for the purpose approved under the terms of this approval until a Section A1 or A2 Site Audit Statement (accompanied by an Environmental Management Plan) is submitted to the Planning Secretary for information which states that the land is suitable for that purpose and any conditions on the Section A Site Audit Statement have been complied with.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Pre-operational requirement – not triggered.	Not triggered
E41	Before construction, the proponent must provide the EPA and DAWE with a copy of all reports to date relating to the assessment of per- and poly-fluoroalkyl substances (PFAS) undertaken for the development and in relation to contamination from the development.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25 Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI-10053) Contaminated Sites, Condition E41 dated 10/10/23. 	Relevant documentation and reports in accordance with this condition were submitted to the EPA and DAWE (DCCEEW) on the 17/10/23. The information was also provided to DPHI for information.	Compliant
E42	The EPA must be contacted within 1 month of PFAS identification if a potential risk to off-site receptors is identified to discuss requirements for community consultation. DAWE must also be notified that PFAS has been identified and is a potential risk to off-site receptors.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. National Intermodal, Moorebank Avenue Realignment Project, Targeted Site Contamination Investigation Report, May 2024, WSP, Rev D, 17/5/24 	The site investigation report identifies the presence of PFAS in soils. At this stage of the project, excavation and disturbance of PFAS contaminated soils has occurred.	Not triggered
E43	An Unexpected Finds Procedure for Contamination must be prepared before the commencement of work, implemented throughout construction and must be followed should unexpected contamination or asbestos (or suspected contamination) be excavated or otherwise discovered. The procedure must include details of who will be responsible for implementing the unexpected finds procedure and the roles and responsibilities of all parties involved. The procedure must be submitted to the Planning Secretary for information before work commences	<ul style="list-style-type: none"> MAR Construction Contamination Management Plan, 23/05/23 – Appendix C. 	Appendix C of the Construction Contaminated Land Management Subplan contains the unexpected finds procedure.	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
TRAFFIC AND TRANSPORT				
E44	Subject to Condition E45, before opening of any part of the road to traffic, all land required for the SSI, including that required for pedestrian/shared paths, intersection design and treatments and maintenance access must be dedicated or the dedication procured (as applicable) as a public road, at no cost to government or council	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Operational requirement – not triggered.	Not triggered
E45	<p>Condition E44 does not prevent use of that part of the SSI to maintain operational access between the internal Moorebank Precinct East Road and MPE warehouses (WH3–WH8 only) pending the dedication of the operational access as part of the land required for the SSI in accordance with Condition E44. During the interim operational access period, all operational traffic must enter and exit the MPE via the existing approved access point on Moorebank Avenue.</p> <p>Note: The use of the SSI for operational traffic access to MPE warehouses WH3 – WH8 via the Moorebank Precinct East internal road network is intended to be a temporary measure, pending dedication of the SSI as public road.</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Operational requirement – not triggered.	Not triggered
E46	Public access to Moorebank Avenue on its current alignment between Anzac Road and the bridge over the East Hills railway must be maintained until the project is opened to traffic	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	There were no restrictions of public access to Moorebank Avenue observed during the Audit site inspection.	Compliant
E47	Access to utilities and properties must be maintained during work. If an access is affected by work, this must be agreed to by the relevant utility owner, landowner or occupier before the amended or a temporary alternative access is provided.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Access to utilities and properties observed to be maintained during the Audit inspection.	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E48	<p>Property access physically affected by the SSI must be reinstated or an alternative provided to at least an equivalent standard, before opening of the relevant part of the project to traffic. Any change to pre-existing property access must be agreed to by the landowner or occupier before the change is made.</p> <p>Note: appropriate planning approval for permanent replacement of property access must be obtained before the replacement is provided</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	<p>No property access was physically affected at the time of the Audit inspection.</p> <p>Temporary access to be provided to Defence.</p>	Not triggered
E49	<p>Locations of all heavy vehicles used for spoil haulage must be monitored in real time and the records of monitoring be made available electronically to the Planning Secretary and the EPA upon request for a period of no less than one year following the completion of construction.</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	<p>The Construction Traffic Management Plan commits the Construction Contractor to use real time monitoring to record the location and movement of trucks hauling spoil. The records of these movements are to be stored electronically and provided to the Planning Secretary.</p> <p>At the time of the Audit, earthworks have not commenced, and spoil trucks had not commenced operation.</p>	Not triggered
E50	<p>Moorebank Avenue south of the Moorebank Avenue rail overbridge and local roads must not be used by heavy vehicles to access the site, except for access to/from Glenfield Waste Services Facility. Records of those vehicles accessing Glenfield Waste Services Facility via this route must be maintained for the duration of work</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. MAR SSI-10053 Construction Traffic and Transport Management Plan, August 2023 	<p>Figure 6.1 of the CTMP provides details of haulage routes to the project via the Southwestern Motorway and Moorebank Avenue with access to the Glenfield Waste Facility via Cambridge Avenue. The haulage route does not include any local roads.</p> <p>At this early stage of the project there has not been any waste disposed off site at the Glenfield Waste Services facility</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E51	Before activities requiring use of heavy vehicles for the purposes of the SSI commence, a Road Dilapidation Report must be prepared. A copy of the Road Dilapidation Report must be provided to the relevant council within three weeks of completion of the survey and no later than one month before the road being used by heavy vehicles associated with the SSI.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. Document transmittal record (reference TRN-121-2118-00056- Moorebank Avenue Realignment (SSI 10053) dated 12/3/25 Preconstruction Condition Assessment of Moorebank Avenue: Project: Moorebank Avenue Realignment Works – MARW Rev A dated 10/3/25 	A road dilapidation report has been prepared of Moorebank Avenue. A copy of the report has been provided to Liverpool Council.	Compliant
E52	<p>If damage to roads occurs as a result of the SSI, the Proponent must either (at the relevant road authority's discretion):</p> <p>(a) compensate the relevant road authority for the damage so caused; or</p> <p>(b) rectify the damage to restore the road to at least the condition it was in pre-works as identified in the Road Dilapidation Report(s); or</p> <p>(c) make satisfactory arrangements with the relevant road authority(ies) regarding the reinstatement of roads used by heavy vehicles for construction where those roads continue to be used by heavy vehicles for construction of the MLP.</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	No damage to local roads reported or observed during the Audit site inspection.	Not triggered
E53	Despite Condition 0, public roads used by heavy vehicles to access the construction site must be maintained in a safe condition for public use at all times.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Only a small number of heavy vehicles have been used to date for the establishment of the compound. No safety issues relating to public roads was identified by the Audit.	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E54	<p>Vehicles (including light and heavy vehicles) associated with the SSI must be managed to:</p> <p>(a) minimise parking on public roads;</p> <p>(b) minimise idling and queueing on state and regional roads;</p> <p>(c) not carry out marshalling of construction vehicles near sensitive land user(s);</p> <p>(d) not block or disrupt access across pedestrian or shared user paths at any time; and</p> <p>(e) ensure spoil haulage vehicles are made aware of the nominated haulage routes.</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. Traffic Management Plan, Moorebank Avenue Realignment Works (MARW), National Intermodal Terminal Corporation Limited (NIC), BMD dated 22/11/24 MARW Site Compound Vehicle Management Plan dated 18/3/25 BMD Drivers Code of Conduct 	<p>All vehicles were observed to be contained within the site. No reports of vehicles parking on public roads, idling, queuing etc recorded during the Audit period.</p> <p>BMD have prepared a Drivers Code of Conduct to communicate the site requirements to drivers.</p> <p>Recommendation</p> <p>Update the drivers code of conduct to include a map showing the approved vehicle routes to and from the as well as the approved routes to the Glenfield Waste Depot as applicable.</p>	Compliant
E55	<p>During construction, all reasonably practicable measures must be implemented to maintain pedestrian and vehicular access to, and parking in the vicinity of, businesses and affected properties. Disruptions must be avoided, and where avoidance is not possible, minimised. Where disruption cannot be avoided, alternative pedestrian and vehicular access, and parking arrangements must be developed in consultation with affected businesses and implemented before the disruption. Adequate signage and directions to businesses must be provided before, and for the duration of, any disruption.</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25 	<p>No impacts to pedestrian, vehicular access or parking observed.</p>	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E56	<p>The SSI must be designed and constructed to meet relevant design, engineering and safety guidelines, including the Austroads Guide to Traffic Management for new or modified roads, intersections, parking, pedestrian and cycle infrastructure and in accordance with the requirements of Schedule 3 Clause 3 of the Voluntary Planning Agreement (SVPA-2018-9696) executed on 21 March 2019 to the satisfaction of Transport for NSW.</p> <p>Note: Schedule 3 Clause 3 of SVPA-2018-9696 requires that the developer enter into a WAD with TfNSW in relation to the Moorebank Avenue Realignment</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25 Moorebank Avenue Realignment Works (MARW) – 100% Detailed design report, Arcadis dated 28/2/25 	<p>Although design has commenced, the requirements of this condition are to be fulfilled upon completion of construction</p> <p>Further assessment will be required during subsequent Audits.</p>	Not triggered
E57	<p>Before commencement of construction in relation to intersections, an assessment of appropriate intersection treatments must be undertaken of the intersections identified in section 5.3.5 of the EIS identified in Condition A1, to inform the final design of the SSI in consultation with and to the satisfaction of TfNSW. Justification of the preferred option must be supported by the findings of the assessment</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25 Moorebank Avenue Realignment Works, Traffic Assessment Report, Anson Group, dated 02/06/23 Transport for NSW, Liverpool Council Area, Traffic Signals at Moorebank Avenue and Dispatch Loop, Holsworthy, (Reg No: DS2024/000141 Rev A dated 11/3/25 	<p>At the time of the Audit, the construction of intersections had not commenced, however the assessment has been undertaken and design drawings completed. TfNSW approved the design on 11/3/25</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E58	<p>An independent Road Safety Audit must be undertaken to assess the safety performance of new or modified road, parking, pedestrian and cycle infrastructure provided as part of the SSI (including ancillary facilities) to ensure that they meet the requirements of relevant design, engineering and safety guidelines, including Austroads Guide to Traffic Management.</p> <p>The Audit must be undertaken by an appropriately qualified and experienced person during detailed design development (Audit of plans) and before opening (pre-opening Audit).</p> <p>The Audit findings and recommendations of the detailed design plans (Audit of the plans) must be actioned before construction of the relevant infrastructure. The pre-opening Audit findings and recommendations must be actioned before the relevant infrastructure is dedicated, or the dedication procured, as a public road consistent with Condition E44. Implementation of all actions emanating from the Audits must be to the satisfaction of TfNSW.</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25 Moorebank Avenue Realignment Works, Pre- Construction Detailed Design Road Safety Audit, TTPP, dated 4/8/25 	<p>An independent Safety Audit has been undertaken by a specialist traffic transport company (TTP consulting)</p> <p>Table 4.2 of the Road Safety Audit report details the findings of the Audit, with recommendations and designer comments.</p> <p>At the time of the Audit, construction of the relevant infrastructure had not commenced.</p> <p>Therefore, further assessment will be required to be undertaken during future Audits to assess compliance</p>	Not triggered
E59	<p>The Proponent must prepare an Operational Road Network Performance Review, within 12 months and again within five years after the commencement of operation of the SSI. The Review must address road network performance and review the effects of the SSI on the adjoining road network.</p> <p>The Review must be undertaken in consultation with relevant council(s) and TfNSW and be completed within six months of the review timeframes. The Review must be provided to the Planning Secretary within 60 days of its completion.</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25 	Operational requirement – not triggered.	Not Triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>The identification of further mitigation measures, if required, must be included in the Review. The Proponent is responsible for the implementation of the identified measures.</p> <p>Note: Identified mitigation measures may need to be further assessed under the Environmental Planning and Assessment Act, 1979. Work will need to meet relevant design standards and subject to independent road safety Audits.</p>			
PLACE DESIGN AND VISUAL AMENITY				
E60	The SSI must be constructed in a manner that minimises visual impacts of construction sites, including providing temporary landscaping and vegetative screening of the construction sites, minimising light spill, and incorporating architectural treatment and finishes within key elements of temporary structures that reflect the context within which the construction sites are located.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	No work was being undertaken that would result in unacceptable visual impacts to residents or any other sensitive receivers. The site compound was in an area of low visual sensitivity and away from residential areas.	Compliant
E61	An Urban Design and Landscape Plan must be prepared to inform the final design of the SSI and to give effect to the commitments made in the documents listed in Condition A1. The Plan does not apply to work, which for technical, engineering, or ecological requirements or other requirements as agreed by the Planning Secretary, that does not allow for alternate design outcomes	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. Moorebank Avenue Realignment Works, Urban Design and Landscape Plan, Design Report, dated 23/5/25 	An Urban Design and Landscape Plan has been prepared by an experienced Urban Design company (TRACT) and approved by DPHI. Further details are provided below.	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E62	<p>The UDLP must be prepared by a suitably qualified and experienced person in consultation with relevant government agencies, relevant councils, the Community Consultative Committee, established by Condition B1, and affected landowners and businesses. The UDLP must include:</p> <p>(a) an analysis of the built, natural and community context and the urban design objectives, principles and standards for the SSI;</p> <p>(b) the design of the SSI elements including their form, materials and detail, including provisions for active transport where these form part of the project;</p> <p>(c) the design of the project landform and earthworks;</p> <p>(d) the location of existing vegetation, areas of vegetation to be retained and proposed planting and seeding details, including the use of local indigenous species for revegetation activities;</p> <p>(e) the location of existing heritage items and recorded Aboriginal objects;</p> <p>(f) details of how Aboriginal and non-Aboriginal heritage interpretation and public art are incorporated within the design of built features, having regard to the results of any archaeological investigations;</p> <p>(g) visual screening requirements;</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. Moorebank Avenue Realignment Works, Urban Design and Landscape Plan, Design Report, dated 23/5/25 Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI-10053) Urban Design and Landscape Plan, Conditions E61-E67" dated 8/1/25 	<p>The UDLP has been prepared by experienced urban design and landscaping specialists TRACT.</p> <ul style="list-style-type: none"> Section 2 "Contextual Analysis, addresses the requirements of E62 a) Sections 4, 5 and 5.2.2 Address the requirements E 62 b) Section 4 and 5 address the requirements of E62 c) Section 2.6 and Section 7 address the requirements of E62 d) Section 2.8 addresses the requirements of E62 e) Sections 2.8 and 2.9 address the requirements of E62 f) Section 9 addresses the requirements of E62 g) Section 4 addresses the requirements of E62 h) Section 7 addresses the requirements of E62 i) Section 8 addresses the requirements of E62 j) <p>The UDLP was approved by DPHI on 8/1/25 noting the UDLP:</p> <ul style="list-style-type: none"> Has been prepared in consultation with Transport for NSW, Department of Defence, Liverpool City Council, Community Consultative Committee and affected landowners and businesses Contains the information required under the relevant conditions of approval Includes a tree survey 	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(h) developed visuals, cross sections and plans showing the proposed design outcome;</p> <p>(i) details of strategies to rehabilitate, regenerate or revegetate disturbed areas; and</p> <p>(j) management and routine maintenance standards and regimes for design elements and landscaping work (including weed management).</p>		<ul style="list-style-type: none"> Has been submitted to the Department prior to the commencement of construction of the permanent built surface works prior to the commencement of construction. <p>At the time of the Audit site inspection, permanent built works and landscaping had not commenced.</p>	
E63	Unless otherwise agreed with the Planning Secretary, construction of permanent built surface works or landscaping that are the subject of the UDLP must not commence (in the area to which the UDLP applies) until the UDLP has been approved by the Planning Secretary.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI-10053) Urban Design and Landscape Plan, Conditions E61-E67" dated 8/1/25 	<p>The UDLP was approved by DPHI on 8/1/25 noting the UDLP:</p> <ul style="list-style-type: none"> Has been prepared in consultation with Transport for NSW, Department of Defence, Liverpool City Council, Community Consultative Committee and affected landowners and businesses Contains the information required under the relevant conditions of approval Includes a tree survey Has been submitted to the Department prior to the commencement of construction of the permanent built surface works prior to the commencement of construction. <p>At the time of the Audit site inspection, permanent built works and landscaping had not commenced.</p>	Compliant
E64	The UDLP, as approved by the Planning Secretary, must be implemented	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Not triggered. Built form works that are subject to the UDLP have not commenced at the time of the Audit.	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E65	<p>Revegetation and the provision of replacement trees must be informed by a Tree Survey undertaken during detailed design. The Tree Survey must identify the number, type and location of trees to be removed, except for trees that are offset under Condition E5. The Tree Survey must be submitted to the Planning Secretary for information with the Urban Design and Landscape Plan required under Condition E61.</p> <p>Where trees will be removed, a net increase in the number of replacement trees must be provided at a ratio of 2:1, except trees that are offset under Condition E5. Replacement trees must have a minimum pot size consistent with the relevant government authority(ies) or relevant council's plans / programs / strategies for vegetation management, street planting, or open space landscaping, or as agreed by the relevant authority(ies).</p> <p><i>Note: For the purposes of this condition, the relevant authority is that State or local government authority that owns or manages the land on which the replacement trees will be planted.</i></p>	<ul style="list-style-type: none"> • Site Observations 18/03/25 • Audit Interview 18/01/24 • Arboriculture Report for Development, Site location, Moorebank Avenue Realignment Works (MARW), Moorebank NSW, 15/11/25 	<p>Revegetation and provision of replacement trees has not commenced.</p> <p>The tree survey is incorporated into the Urban Design and Landscape Report (Appendix 2)</p> <p>Table 2 of the tree report includes the following information:</p> <ul style="list-style-type: none"> • Tree ID • Tree Species • Height • Canopy Spread (Radius) • Impact • Recommendation for removal <p>Section 7 of the UDLP includes details of landscape design. Table 5 notes that at total of 164 trees will be removed with 847 trees replanted. The net increase in trees is 683 and is greater than the 2:1 ratio described in this condition.</p>	Not triggered
E66	<p>Replacement and enhancement of vegetative screening along the project corridor must be undertaken in a progressive manner during construction to allow for its early establishment.</p>	<ul style="list-style-type: none"> • Site Observations 18/03/25 • Audit Interview 18/03/25 • Moorebank Avenue Realignment Works, Urban Design and Landscape Plan, Design Report, dated 23/5/25 	<p>Replacement and enhancement of vegetation screening has not commenced. Limited clearing has been undertaken to date.</p>	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E67	The UDLP required by Condition E61 must include a Landscape Strategy which details the type, size, number and location of replacement trees. The report must demonstrate how replacement plantings are consistent with the requirements of Condition E65 and Condition E66.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. Moorebank Avenue Realignment Works, Urban Design and Landscape Plan, Design Report, dated 23/5/25 	Section 7 of the UDLP includes details of landscape design. Table 5 notes that at total of 164 trees will be removed with 847 trees replanted. The net increase in trees is 683 and is greater than the 2:1 ratio described in Condition E65. Condition E66 is not triggered, as noted above.	Compliant
E68	<p>The ongoing maintenance and operation costs of urban design, open space, landscaping and recreational items and work implemented as part of this approval remain the Proponent's responsibility until satisfactory arrangements have been put in place for the transfer of the asset to the relevant authority. Before the transfer of assets, the Proponent must maintain items and work to at least the design standards established in the UDLP, required by Condition E62.</p> <p>The Planning Secretary must be advised of the date of transfer of the asset(s) to the relevant authority.</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Operational requirement – not triggered.	Not triggered
E69	Should replacement trees and plantings loss occur during the maintenance period, the plants must be replaced with the same plant species unless it is determined by a suitably qualified person that a different species is more suitable for that location.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Operational requirement – not triggered.	Not triggered
E70	Management and routine maintenance for design elements and landscaping work (including weed management) to ensure the success of the design and landscape outcomes must be undertaken for the life of the SSI.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Operational Requirement – not triggered	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
WASTE				
E71	<p>Waste management during construction and operation must be considered against a hierarchy of the following order:</p> <p>(a) Avoidance of waste generation;</p> <p>(b) Re-use, recycle or recovery;</p> <p>(c) Treatment or disposal</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25 BMD Waste disposal register 	<p>Due to the limited amount of work undertaken to date, only minor amounts of vegetation waste have been generated and has been retained on site with the objective of beneficial reuse</p> <p>A waste tracking register has been prepared which includes details of waste description, classification, volume, destination and the EPL of the waste disposal location.</p>	Compliant
E72	Waste importation and the storage, treatment, processing, reprocessing or disposal of waste must comply with the conditions of an EPL for the SSI where one applies, or be undertaken in accordance with an applicable Resource Recovery Exemption or Order, issued under the Protection of the Environment Operations (Waste) Regulation 2014, as the case may be	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	No waste has been imported to the site.	Not triggered
E73	Waste must only be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, or to any other place that can lawfully accept the waste.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	No waste has been exported to date.	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E74	All waste must be classified in accordance with the EPA's Waste Classification Guidelines, with appropriate records and disposal dockets retained for Audit purposes.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. Weighbridge dockets – EPL No: 20992 dated 10/2/25, 11/2/25, 12/2/25, 14/2/25. 	A skip bin was on site at the time of the audit inspection; however it was noted that no waste has been removed off site to date. The only wastes generated at this stage is vegetation which is retained on site for reuse later and vacuum truck waste which was pre classified as liquid waste. Appropriate receipts were provided to demonstrate the liquid wastes have been disposed of at a licenced facility.	Not triggered
WATER				
E75	The SSI must be designed, constructed and operated so as to maintain the NSW Water Quality Objectives where they are being achieved as at the date of this approval, and contribute towards achievement of the NSW Water Quality Objectives over time where they are not being achieved as at the date of this approval, unless an EPL in force in respect of the SSI contains different requirements in relation to the NSW Water Quality Objectives, in which case those requirements must be complied with.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. Environment Protection Licence Number 21972 	<p>An Environment Protection Licence (EPL # 21972) has been obtained for the construction phase. BMD is the licence holder.</p> <p>There have been no water discharges at the time of the Audit. Sediment basins have not been established.</p>	Not triggered
E76	Drainage feature crossings (permanent and temporary watercourse crossings and stream diversions) and drainage swales and depressions must be carried out in accordance with relevant guidelines and designed by a suitably qualified and experienced person.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. Moorebank Avenue Realignment Works (MARW) – 100% Detailed design report, Arcadis dated 28/2/25 	Not triggered, drainage feature crossings have not been impacted by the work to date.	Not triggered
E77	Work on waterfront land must be carried out in accordance with controlled activity guidelines	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	There has been no work undertaken on waterfront land to date.	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E78	<p>Unless an EPL is in force in respect to the SSI and that licence specifies alternative criteria, discharges from construction water treatment plants to surface waters must not exceed:</p> <p>(a) the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2018 (ANZG 2018) default guideline values for toxicants at the 90 per cent species protection level;</p> <p>(b) for physical and chemical stressors, the guideline values set out in Tables 3.3.2 and 3.3.3 of the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000; and</p> <p>(c) for bioaccumulative and persistent toxicants, the ANZG 2018 values at a minimum of 95 per cent species protection level.</p> <p>Where the ANZG 2018 does not provide a default guideline value for a particular pollutant, the approaches set out in the ANZG 2018 for deriving guideline values, using interim guideline values and/or using other lines of evidence such as international scientific literature or water quality guidelines from other countries, must be used</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	<p>An Environment Protection Licence (EPL # 21972) has been obtained for the construction phase. BMD is the licence holder.</p> <p>There have been no water discharges at the time of the Audit. Sediment basins have not been established.</p>	Compliant
E79	<p>If stormwater discharges are proposed during construction, a Water Pollution Impact Assessment commensurate with the potential risk and consistent with the National Water Quality Guidelines must be prepared and submitted to the Planning Secretary for information. The assessment at a minimum must:</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. Moorebank Avenue Realignment Works, Construction Water Quality and Discharge Assessment, 9/11/23 Environment Protection Licence (EPL# 21972) 	<p>A Water Pollution Impact Assessment has been prepared.</p> <p>An Environment Protection Licence (EPL # 21972) has been obtained for the construction phase. BMD is the licence holder.</p> <p>There have been no water discharges at the time of the Audit. Sediment basins have not been established.</p>	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>a. Provide details of the discharge locations and receiving waterways;</p> <p>b. Characterise the expected discharge quality under typical and worst-case conditions for all pollutants present at levels that pose a risk of non-trivial harm to human health or the environment;</p> <p>c. Assess the potential impact of discharges on the environmental values of the receiving waterway, including typical through to worst-case scenarios with reference to the relevant Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG 2018) for slightly to moderately disturbed ecosystems for standard receiving environments; and</p> <p>d. Demonstrate that all practical and reasonable measures to avoid discharges (e.g. stormwater reuse or tankering for offsite disposal) and minimise water pollution and protect human health and the environment from harm are investigated and implemented.</p>			
E80	<p>Unless an EPL is in force in respect to the SSI and that licence specifies alternative criteria, discharges from operation water treatment plants to surface waters must not exceed:</p> <p>(a) the ANZG 2018 default guideline values for toxicants at the 95 per cent species protection level;</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Operational requirement – not triggered.	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(b) for physical and chemical stressors, the guideline values set out in Tables 3.3.2 and 3.3.3 of the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ, 2000); and</p> <p>(c) for bioaccumulative and persistent toxicants, the ANZG 2018 guideline values at a minimum of 99 per cent species protection level.</p> <p>Where the ANZG 2018 does not provide a default guideline value for a particular pollutant, the approaches set out in the ANZG 2018 for deriving guideline values, using interim guideline values and/or using other lines of evidence such as international scientific literature or water quality guidelines from other countries, must be used</p>			
E81	The ability of the receiving drainage systems to effectively convey pavement drainage from the SSI must be determined where it is proposed to discharge these flows to the receiving drainage systems. This must be done in consultation with the relevant council(s) and Sydney Water and the outcomes documented in the Stormwater Drainage Report required under Condition E82.	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Operational requirement – not triggered.	Not triggered
E82	A Stormwater Drainage Report must be prepared at least one month before the commencement of any new permanent drainage works, modifications or connections to existing drainage works, construction of hard surfaces that are associated with the operation of the project and would result in runoff to existing stormwater drainage systems. The Stormwater Drainage Report must:	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Permanent drainage works have not commenced construction therefore the requirements of this condition has not been triggered.	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(a) assess the potential impacts of pavement drainage discharges from the SSI drainage systems on the receiving environment and capacity of council or Sydney Water drainage infrastructure;</p> <p>(b) identify all mitigation measures to be implemented where pavement drainage from the SSI drainage systems are predicted to adversely impact on the receiving environment or capacity of council or Sydney Water drainage infrastructure; and</p> <p>(c) set out a clear time frame for the implementation of mitigation measures.</p> <p>Nothing in this condition prevents the Proponent from preparing separate Stormwater Drainage Reports for pavement discharges to the drainage system provided that each report is prepared at least one month before the subject works/discharges commencing</p>			
E83	<p>New or modified drainage systems associated with the SSI must be designed to:</p> <p>(a) where relevant, meet the capacity constraints of the council's drainage system to receive and convey the proposed flows from the SSI, or otherwise upgrade council's drainage system at the Proponent's expense, in consultation with the relevant council(s);</p>	<ul style="list-style-type: none"> Site Observations 18/03/25 Audit Interview 18/03/25. 	Permanent drainage works have not been constructed – not triggered.	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(b) minimise impacts on the receiving environment at the final outflow point resulting from any additional flow volume (including, but not limited to scour, flooding, water quality impacts, and impacts on riparian vegetation, aquatic ecology and property); and</p> <p>(c) where relevant, ensure mitigation measures are implemented where increased flows through cross drainage systems adversely impact on council or Sydney Water drainage infrastructure and the receiving environment.</p>			

Appendix D Consultation

**Records of consultation with Authorities
undertaken as part of the Audit has been removed
from the redacted version of this Audit Report**

Appendix E Photographs



Photo 1: Undisturbed project alignment



Photo 2: Site Compound establishment



Photo 3: Project Boundary markings



Photo 4: Project boundary flagging



Photo 5: Tree Protection flagging



Photo 6: Sediment controls

