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NSW 2153  
ABN: 50 160 157 666

30 April 2025

Attn: Compliance Section (Portal Submission)

Moorebank Precinct West Stage 2 (SSD 7709): Submission of Response to March 2025 Independent Audit Report

I refer to SSD 7709 approved on the 11 November 2019.

In accordance with condition C17 (b) of the Development Consent, the following document has been previously submitted to the Planning Secretary via the Major Project Portal for information:

- Independent Audit Report, Moorebank Intermodal Precinct West Stage 2 – SSD 7709, WolfPeak April 2025.

As per Condition C18 the requirements are:

- To review and respond to each Independent Audit Report.
- Submit the response to each Independent Audit Report (attached).
- Make each Independent Audit Report and response to it publicly available.

I hereby provide the 7-day notification of our intention to publicly release Independent Audit Report March 2025 and the response to the Independent Audit within 60 days of this submission to the Department in accordance with consent condition 18 (c).

**Signed**

A black rectangular box redacting the signature of the Associate Director.

**Name**

A black rectangular box redacting the name of the Associate Director.

**Position**

Associate Director

**Date: 30 April 2025**

Moorebank Precinct West Stage 2 (SSD 7709): Submission of Response to March 2025 Independent Audit Report No.5

Item	Ref.	Type	Details of item	Audit Recommendation or completed action	Timing	ESR Actions	Evidence of Action
IA5_01	A7	Non-compliance	<u>Construction Limits</u> Only VENM, ENM, or other imported fill material approved in writing by EPA is to be placed on the site.	<p>Immediate corrective action taken by Vaughan Civil involved the removal of material from the site to an appropriately licensed facility.</p> <p>Additional control measures discussed with Vaughan Civil included:</p> <ul style="list-style-type: none"> <li>ensuring contractor awareness of their obligations regarding separate permissibility</li> <li>pre-classifying all source site material prior to excavation for proper disposal at an appropriate facility or reuse in situ</li> <li>obtaining permission from the ESR Project Manager before the import of fill materials for use on SSD-7709.</li> </ul> <p>On 8 November 2024, an email was received from the Department indicating that the breach for non-compliance with Condition A7 of the Consent had been recorded, but no further action was required. This matter is now considered closed.</p>	NA	NA	NA

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Item	Ref.	Type	Details of item	Audit Recommendation	Timing	ESR Actions	Evidence of Action
IA5_02	A37	Non-compliance	<p><b>Requirement:</b> <i>For the duration of the works until 6 months after the commencement of operation (or staged operation), or as agreed with the Planning Secretary, the approved ER must:</i></p> <p><i>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 Department's Environmental Representative Protocol (2018) under the heading "Environmental Representative Monthly Reports." The Environmental Representative Monthly Report must be submitted within seven calendar days following the end of each month for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary.</i></p> <p><b>Non-compliance:</b> The ER monthly report for November 2024 was submitted more than 7 calendar days after the end of November, on 13 December 2024, without a prior request for an extension to the Department.</p>	<p>A non-compliance notification was sent to the Department on 20 December 2024.</p> <p>No further action is required, and this matter is considered closed.</p>	NA	NA	NA
IA5_03	A2	Observation	<p><u><b>Compliance</b></u></p> <p><i>The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.</i></p>	BMD induction to include a reference to the SSD requirements.	02/04/2025	BMD were advised to update their induction to include reference.	Updated BMD Induction provided by email 2 April 2025. Evidence to be provided in Construction Compliance Report 9.

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Item	Ref.	Type	Details of item	Audit Recommendation	Timing	ESR Actions	Evidence of Action
			<b>Audit finding</b> BMD induction does not include a reference to the SSD requirements to ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent.				
IA5_04	B31	Observation	<u><b>Construction Erosion and Sediment Control</b></u> <i>Erosion and Sediment Control Plans must be updated as construction progresses, and site conditions change.</i>  <b>Audit finding</b> Vaughan Civil's Sediment and Erosion Control Plan (SECP) is lacking details for elements such as water flow management and erosion and sediment controls; the Plan has no date or revision number. Additionally, during the site audit, it was noted that one drainage channel requires maintenance.	Vaughan Civil to update the SECP to accurately reflect current site conditions, including water flow, erosion and sediment controls, and stormwater drain protection. It is also recommended that Vaughan Civil review this document each time updates or changes are made to the existing controls and include a date and revision number.  Drainage channel at the southern side to be repaired with new geofabric.	30/04/2025	Vaughan Civil was directed to update their SECP to include relevant details.  Repairs (geofabric replacement) will be made to the drainage channel.	Evidence to be provided in Construction Compliance Report 9.
IA5_05	B125	Observation	<u><b>Construction Hours of Work</b></u> <i>The Applicant must comply with the hours detailed in Table 2.</i>  <b>Audit finding</b> The date of approval on the Out of Hours Work (OOHW) request No.54 (16 September 2024) document was not updated by BMD when the extension of the OOHW request was submitted on 6 December 2024. Works are schedule from 6 January 2025 to 31 March 2025.	All OOHW records must accurately document the correct dates of approval.	02/04/2025	Contractors to be advised that OOHW records must be accurately documented.	Email dated 02/04/2025, Aspect on behalf of ESR reminded current principal contractors that OOHW must be accurately documented. Evidence to be provided in Construction Compliance Report 9.

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Item	Ref.	Type	Details of item	Audit Recommendation	Timing	ESR Actions	Evidence of Action
IA5_06	B188	Observation	<p><u><i>Operation Of Plant and Equipment</i></u>  <i>All plant and equipment used on site, or to monitor the performance of the development must be:</i>  <i>a) maintained in a proper and efficient condition; and</i>  <i>b) operated in a proper and efficient manner.</i></p> <p><b>Audit finding</b>  During the site audit, it was noted that the logbook for the excavator used at BMD site reached capacity and a new one was not obtained to continue documenting the daily pre-start activities.</p>	BMD to replace the logbook promptly and monitor its usage.	Ongoing	BMD to replace logbook, ESR monthly safety inspections include random checks of logbooks.	Evidence to be provided in Construction Compliance Report 9