

**Independent DPHI Compliance Audit (No. 4)
SSI 10053 – Moorebank Avenue
Realignment Works**

10 March 2026

Independent Environmental Audit

SSI 10053 – Moorebank Avenue Realignment Works

Prepared By:

[REDACTED]
[REDACTED]
[REDACTED]

Version Control

Revision	Date	Comment
A	12 April 2026	Draft for Review
0	04 May 2026	Final

Contents

Executive Summary	3
1 Project Overview	4
1.1 Project Background	4
1.2 Project Approval	4
1.3 Supplementary Approvals and Licences	5
1.4 Auditor	7
1.5 Audit Objectives	7
1.6 Audit Scope and Period	7
1.7 Definitions	7
2 Independent Audit Methodology	10
2.1 Scope Development	10
2.2 Stakeholder Consultation – Key Issues	10
2.3 Summary of Audit Processes	10
2.4 Opening Meeting	10
2.5 Site Inspection	10
2.6 Document Review	11
2.7 Closing Meeting	11
2.8 Compliance Descriptors	11
3 Audit Findings	13
3.1 Compliance Performance	13
3.2 Summary of Agency Notices, Orders, Penalty Notices and Prosecutions	15
3.3 Incidents	15
3.4 Community Complaints	15
3.5 Actions from previous Audits	15
3.6 Adequacy of Environmental Management Plans	19
3.7 Stakeholder Consultation Outcomes	19
3.8 Actual Versus Predicted Impacts	23
3.9 Compliance with the Project Boundary	23
3.10 Key Strengths	23
Appendix A DPHI Auditor Approval	24
Appendix B Auditor Declaration	27
Appendix C Audit Table	29
Appendix D Consultation	122
Appendix E Photographs	130

Executive Summary

Trigalana Environmental Pty Ltd has been engaged to undertake an Independent Environmental Audit (IEA) of the Moorebank Avenue Realignment Works (MAR). The MAR 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)). Arcadis are the environmental and planning consultants. BMD is the construction contractor for the construction of the MAR Project.

The IEA 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).

This is the fourth IEA and covers construction activities for the period from the date of the previous Audit on 11th of September 2025 to 10th March 2026. 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 10 March 2026 with members of National Intermodal, Arcadis and BMD present.

The findings of the Audit are:

- Construction activities have progressed since the previous Audit with mainline clearing earthworks and permanent structures underway
- Experienced environmental professionals and specialists have been appointed to oversee the implementation of the CEMP and subplans
- Key environmental issues are being managed effectively on site as summarised:
 - Erosion and sediment controls including sediment basins, clean water diversions, geofabric lined drains, stabilised site access and sediment fences have been installed
 - A water treatment plant has been installed to treat PFAS contaminated water
 - Regular inspections are undertaken by the Independent Environmental Representative and an experienced Certified Professional in Erosion and Sediment Control (CPESC).
- One construction related complaint has been received during the Audit period
- One non compliance has been recorded during the audit period. The non compliance related to the slumping of a stockpile following a rain event resulting in turbid water discharged off site. Appropriate actions have been taken to address the non compliance.
- No reportable environmental incidents have been received during the Audit period, however DPHI advised as part of the non-compliance that they consider the non-compliance was an incident
- One recommendation has been made relating to noise mitigation measures where Construction Noise and Vibration Impact Statements (CNVIS) predict noise exceedances
- One key strength has been identified by the Audit relating to the reuse of materials including the felled timber, placement of asbestos containing materials, topsoil and mulch salvaged from the MAR within landscaping features on the Disused Rail Spur (DURSS) in lieu of offsite disposal (for further information regarding the key strength, refer to Section 3.10).

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. Modification 1 was determined on 2 May 2025 to include Condition A45 relating to the subdivision of land.

The modified consent documents 161 conditions that are to be complied with during the construction and operational stages of the MAR 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 MAR.

1.4 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
[REDACTED]	B. E Civil M. Environmental Management Management Systems Auditing Leading Management Systems Audit teams Exemplar Global Lead Auditor	30 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.

1.5 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.

1.6 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, EPA TFNSW and Liverpool Council.

The Audit covers construction activities for the period from the date of the previous Audit on 11th of September 2025 to the date of the Audit site inspection on 10 March 2026.

1.7 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)
DURS	Disused Rail Spur
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 License
ER	Environmental Representative
ESD	Ecological Sustainable Development
EWMS	Environmental Work Method Statement
FRNSW	Fire and Rescue NSW

Acronym	Description
GHD	Gutteridge Haskins and Davey, Project Manager for the MAR
IEA	Independent Environmental Audit
ICNG	EPA Interim Construction Noise Guideline
IPAR	DPHI Independent Audit Post Approval Requirements, May 2020)
MAR	Moorebank Avenue Realignment Works
MIP	Moorebank Intermodal Precinct
MPE	Moorebank Precinct East
MPW	Moorebank Precinct West
NCA	Noise Catchment Area
NI	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 and modified on 2 May 2025.
- Stakeholder feedback from relevant government stakeholders including:
 - Department of Planning, Housing and Infrastructure (DPHI)
 - Liverpool City Council
 - Environment Protection Authority
 - Transport for NSW.

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 10th of March 2026 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]
- [REDACTED]
- [REDACTED]

2.5 Site Inspection

A site inspection was undertaken on the morning of 10th of March 2026. Observations made by the Auditor are as summarised as follows:

- Construction activities have progressed since the previous Audit with mainline clearing substantially complete and earthworks advanced. Construction of some permanent structures has commenced.
- Construction compound offices, amenities and hardstand areas were established and operational.
- Erosion and sediment controls were installed including sediment basins, clean water diversions, geofabric lined drains and bunds. Polymer spray was applied to exposed batters to reduce the risk of erosion with a trailer mounted polymer dispensing unit available for deployment.
- Stockpiles were trimmed and bunded. There was no evidence of stockpile slumping observed. Perimeter bunds were installed around stockpiles.
- Two treatment plants were established to treat PFAS and heavy metal contaminated water
- Clean water was being collected upstream and pumped downstream of the site to avoid erosion of disturbed areas.

- A temporary creek crossing was installed at Anzac Creek. Erosion and sediment controls including geofabric and mulch bunding. Tree roots had been retained on the creek embankment to prevent erosion of the embankment. There were no chemicals or fuels stored adjacent to the waterway.
- Stockpiles of asbestos contaminated materials have been relocated to the disused rail spur site for incorporation into landscaping features.
- Construction boundaries were clearly delineated with green (colour coded) flagging and advisory “no go signage”. Visual instructions were available at the site compound to communicate the correct colour coding for the various flagging types.
- Felled timber was stockpiled for reuse in the DURS, topsoil and mulch was beneficially reused for erosion control.
- Stabilised access was provided consisting of rumble grids/shaker pads and hardstand/gravel entrance to prevent mud tracking.
- Street sweepers and water carts were available to control dust and mud tracking. There was no evidence of mud tracking on external roads or noticeable dust observed.
- Minor quantities of chemicals were provided on site. Spill kits were available in the site compound and on site for deployment in the event of a spill.
- There was no obstruction of local footpaths or roads. All plant, equipment and any motor vehicles were located within the site boundaries and compound area.

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 30th April 2026 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]
- [Redacted]
- [Redacted]

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

Status	Description
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. Further details of non-compliances, observations and recommendations are provided in Table 6.

Table 5: Compliance summary

Section	Number of Conditions	Compliant	Non-Compliant	Not Triggered
A	45	29	0	16
B	13	11	0	2
C	17	17	0	0
D	4	0	0	4
E	83	58	1	24
Total	162	115	1	46

Table 6: Non compliances, observations and recommendations for improvement

Condition no	Summary of Condition (relevant requirements)	Finding	Recommendation
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>	<p>Observation</p> <p>During the Audit period, one Construction Noise and Vibration Impact Statement (CNVIS) has been prepared for road and paving works.</p> <p>Assessment of noise impacts associated with the Works indicates that compliance with the project NMLs will be achieved during all periods except for:</p> <ul style="list-style-type: none"> • General concrete works at night time • Lean mix paving works • LMC hand pour works within each zone • Kerb and gutter machine paving works • Asphalt paving works <p>The CNVIS recommended administrative controls are employed to minimise noise for OOH works.</p>	<p>The recommendations made by the Acoustic consultant are administrative and don't provide any specific advice regarding measures that may reduce noise impacts where exceedances are predicted. Examples might be the use of temporary acoustic barriers at the source of the noise to reduce noise impacts.</p> <p>Further assessment of potential mitigations measures are recommended.</p>
E75	<p>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.</p>	<p>Non Compliance</p> <p>One non-compliance was reported to DPHI during the Audit period for a stockpile that had slumped into a swale drain on 24/11/25 and resulted in turbid waters being discharged from off site.</p> <p>The incident resulted in a non compliance with Condition E75</p>	<p>The Auditor reviewed the incident report and undertook a general inspection of the stockpiled areas during the Audit site inspection. The incident report notes a number of immediate actions taken included:</p> <ul style="list-style-type: none"> • Immediate repair of the bund an increase in size to prevent any further overtopping into the clean water swale and offsite • Repair of the bund and removal of the blockage • Underaking a site wide check of all stockpiles (both temporary and permanent) to ensure adequate distance is maintained from concentrated flow paths. <p>The Actions taken in response to the non compliance are appropriate. Focus on preparing for wet weather events and shutdown periods (easter/xmas) should reduce the risk of recurrence.</p>

3.2 Summary of Agency Notices, Orders, Penalty Notices

There were no agency penalty notices, warning or advisory notices issued during the Audit period. An advisory letter was issued by EPA on 19 March 2026 (outside the audit period) for the event on 24 November 2025 (refer to Section 3.3 below). Details will be provided in the next Audit period.

3.3 Incidents

A single event occurred on 24 November 2025 and was reported to the EPA as an incident. The event involved the uncontrolled release of water that exceeded the turbidity concentration limit specified in the Environment Protection Licence (EPL). Following investigation an advisory letter was issued by EPA on 19 March 2026 (outside the audit period).

As the event was assessed to be below the threshold of material harm, and did not result in any material impacts, it was reported to DPHI as a noncompliance with Condition E75. Upon closing out the noncompliance, DPHI advised that, due to the potential for material harm, the event was considered an incident. DPHI further advised that similar events should be reported as incidents in the future. The Auditor reviewed incident reports and registers for the Audit period and notes there were no other events during the Audit period that would require reporting to DPHI or EPA.

3.4 Community Complaints

There was one complaint received relating to the MAR project during the Audit period. This was received on 11th November 2025 from the neighbouring warehouse management company regarding dust. Dust mitigation and monitoring was increased. The EPA was advised and satisfied with the project's response. The Auditor reviewed the site controls for managing dust and considers them to be appropriate and generally effective.

As noted in previous Audits, the complaints management system appears to be effective.

3.5 Actions from previous Audits

The status of actions from the previous Audit are detailed in [Table 8](#) below.

Table 7: Actions from previous Audit

Summary of Condition (relevant requirements)	Observation	Recommendation	Comment and Status
<p>Condition A1/E3</p> <p>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.</p>	<p>Non-Compliance</p> <p>As noted in Condition A41, one non-compliance was reported to DPHI during the Audit period for clearing activities that occurred outside the project boundary.</p> <p>A Warning letter was subsequently issued by DPHI relating to the non-compliance noting breaches of Conditions A1 and E3 have occurred.</p> <p>Following the identification of the non-compliance, an investigation into the incident with an investigation report prepared by BMD.</p> <p>Recommendations made following the incident to prevent recurrence were:</p> <ul style="list-style-type: none"> • Undertake an audit of all fencing on site to ensure all other areas have been correctly demarcated • Application of mulch from cleared trees from the cleared area to encourage natural regeneration via the existing topsoil seed bank • Work with National Intermodal to determine either: <ul style="list-style-type: none"> ○ Landscaping the area in line with the approved design for the Moorebank Precinct East- Stage 1 DURS area, or ○ Incorporation of the Area into the Moorebank Precinct East – Stage 1 Project under an Accordance Assessment Proposal for DURS access road and drainage. 	<p>The investigation report identifies several preventative actions (that have been implemented) and preventative actions (to be implemented) to prevent recurrence.</p> <p>The actions taken appear to be appropriate. The Auditor notes that the clearing activities are now substantially complete with further risk of incident substantially eliminated.</p> <p>However, it is the Auditors experience that boundary disturbance activities can still occur throughout all stages of any project and further vigilance is required to ensure no further boundary exceedances occur.</p> <p>In consideration of the above, it is recommended, that processes for working near or adjacent to project boundaries, application of resources, supervision and oversight of construction activities is continually reviewed with the objective eliminating any further systemic issues that may result in boundary disturbance.</p>	<p>There have been no further clearing non compliances during this Audit period.</p> <p>BMD track the clearing undertaken and assess against the predictions in the EIS, specifically Table 7.4. The Table confirms that all clearing has been undertaken within the clearing footprint with no overclearing non compliances occurring within the Audit period.</p> <p>The total value of areas to be cleared as predicted in the EIS is 9.14HA, with the areas cleared to date totalling 7.95 Ha with a further 0.06 Ha to be cleared.</p> <p>The total areas to be cleared are therefore likely to be less than the areas predicted in the EIS.</p> <p>Clearing is now substantially complete. Risk of further clearing incident is very low.</p> <p>STATUS CLOSED</p>

Summary of Condition (relevant requirements)	Observation	Recommendation	Comment and Status
	<p>Evidence was provided to the Auditor in the form of task completion forms to demonstrate the completion of the recommendations as noted above.</p> <p>A toolbox talk and presentation were held following the clearing event to reinforce key boundary controls and share lessons learned to prevent recurrence.</p>		
<p>Condition E23</p> <p>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.</p>	<p>Observation</p> <p>The nearest sensitive educational institution is the Wattle Grove Public School which is located approximately 750m Section 5.4.2 of the CNVMP notes the relevant NML for “classrooms at schools and other educational institutions” to be 45dBA (LA eq 15mins). The Auditor notes that the criteria is an “internal criteria” with substantial noise reduction provided by windows and building facades.</p> <p>The Auditor reviewed the results of noise monitoring undertaken in the Wattle Grove residential area (25 Exford Court and 25 Yallum Court) with the LAeq results < 45dBA.</p> <p>Based on the noise monitoring results and noting the NML is an internal criteria, it is highly unlikely that the relevant NML has been exceeded.</p>	<p>For any noisy work that is planned to be undertaken during school hours with the potential for disturbance to the school, it is recommended that targeted consultation is undertaken to determine any specific timetabling requirements that would require alternate scheduling.</p> <p>Monitoring within the classrooms is also recommended in the event of a noise complaint from the school (subject to agreement from the school).</p>	<p>BMD undertook an assessment of the potential noise impacts at the Wattle Grove School. The assessment evaluated a range of “worst case” construction scenarios and concluded</p> <p><i>“that for the range of activities modelled, it is unlikely that any have the potential to disturb the school. Verification monitoring undertaken so far on the project supports this, further there have been no noise complaints have been received from members of the community to date”</i></p> <p>These conclusions are consistent with the Auditors observations made during this and previous Audits.</p> <p>These conclusions are consistent with the Auditors observations made during this and previous Audits.</p> <p>STATUS - CLOSED</p>

Summary of Condition (relevant requirements)	Observation	Recommendation	Comment and Status
<p>Condition E31</p> <p>b) 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'.</p>	<p>Observation</p> <p>Erosion and sediment controls observed during the site inspection were consistent with the Blue Book and were appropriate for the activities being undertaken.</p> <p>BMD has appointed an experienced CPESC to undertake monthly inspections of erosion and sediment controls and make recommendations to ensure compliance with the "Blue Book Requirements". The BMD Environment team undertakes weekly inspections as well as pre- and post-rainfall inspections to ensure controls are fully functional prior to a wet weather event with corrective actions implemented following a rain event to ensure any repairs required are completed prior to the next wet weather event. Other records provided to the Auditor to demonstrate the implementation of the Erosion and Sediment Control Plan include dewatering permits as well as water quality monitoring results of sediment basins prior to discharge.</p> <p>The BMD environment team noted that an environmental labour crew has been formed to assist with the implementation of the plan.</p>	<p>While well documented procedures are in place to discharge treated water from sediment basins, it is recommended signage is installed at each sediment basin discharge point to alert operators to undertake the necessary testing and obtain the correct "Permit to Pump" approvals prior to releasing water from any sediment basin.</p>	<p>As observed during the Audit site inspection, appropriate signage has now been installed (refer to photo 14).</p> <p>STATUS - CLOSED</p>

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 9](#) with the Auditor's response to each issue.

Table 8: Key stakeholder issues and Auditor response

Organisation	Consultation Date	Key Issues/Comments	Auditor Response
Department of Planning, Housing and Infrastructure	3 March 2026	<p>There are no specific issues DPHI would like to highlight that are not already covered by the audit scope outlined in the Independent Audit Post Approval Requirements (DPIE, 2020).</p> <p>In addition to the NSW EPA and Liverpool Council, please also consult with Transport for NSW.</p>	<p>Noted. EPA, LCC and TfNSW have been consulted with. A copy of their response is provided below.</p>
TFNSW	8 April 2026	Stockpile management	<p>As observed during the Audit site inspection, stockpiles were trimmed and shaped with bunding provided to capture runoff. Inactive stockpiles were stabilised with polymer spray with some revegetation observed. During the Audit period, one non compliance was recorded due to the slumping of a stockpile resulting in the release of untreated water off site. The non compliance was reported to DPHI and EPA with and advisory letter issued by EPA. A number of mitigative actions were implemented to prevent recurrence with no further incidents or non compliances relating to stockpile management. Please refer to the Auditors response to Condition E75 for further information.</p>
		ERSED controls including dewatering process and management of runoff	<p>Erosion and sediment controls observed during the Audit site inspection included clean water diversions, sediment basins, geofabric lined drains, mulch bunding and rock checks. Stabilised site access/egress with a cattle grid/shaker pads were provided to prevent mud tracking onto external roads.</p> <p>An experienced CPESC undertakes monthly inspections of erosion and sediment controls and recommends actions to ensure compliance with the "Blue Book Requirements". The BMD Environment team undertakes weekly inspections as well as pre- and post-rainfall inspections to ensure controls are fully functional prior to any wet weather event with corrective actions implemented following rainfall to ensure any repairs required are completed. Other records provided to the Auditor to demonstrate the implementation of the Erosion and Sediment Control Plan include dewatering permits and water quality monitoring results of sediment basins discharge water.</p> <p>An labour crew has been dedicated to the formed to implement and maintain erosion and sediment controls.</p> <p>As recommended by the previous Audit, appropriate signage has been installed at each sediment basin discharge point to alert operators to undertake the necessary testing and obtain the correct "Permit to Pump" approvals prior to releasing water from any sediment basin.</p>

Organisation	Consultation Date	Key Issues/Comments	Auditor Response
		Contamination handling	<p>Key site contaminants include PFAS and asbestos. Two water treatment plants have been established to treat PFAS contaminants. Treated water is tested prior to discharge in accordance with the Environment Protection Licence and water discharge permit. Water testing results are available on the project website.</p> <p>Throughout the construction phase, asbestos materials have been segregated and stockpiled in signposted dedicated areas with geofabric covering to prevent migration of asbestos contamination off site. Asbestos materials have now been incorporated into permanent landscaping in the DURS, with technical oversight provided by the EPA accredited sites auditor.</p> <p>During the Audit period, several unexpected asbestos finds were discovered. A specialist consultant was engaged to identify the asbestos material, oversee its removal, undertake air monitoring with a subsequent clearance inspection to confirm its safe removal. A weekly meeting has been established to coordinate management actions relating to remediation.</p>
		Waste management	<p>As observed during the site inspection, appropriate waste storage and recycling bins are provided on site. Waste volumes are tracked and recorded including waste type, materials volume and disposal location. Where required, technical experts have been engaged to test and classify the waste with evidence provided to the Auditor.</p> <p>Waste diverted from landfill includes the reuse of mulch for landscaping, timber logs for habitat enhancement and the incorporation of asbestos into permanent landscaping in the DURS with technical oversight provided by the EPA Auditor.</p>
EPA	7 March 2026	No response received	N/A
Liverpool City Council	8 March 2026	<p>Previous comments were provided by Council's traffic section on 26 September 2025 and remain valid for this audit. In addition to this, the Moorebank Intermodal Precinct Community Consultative Committee provides a forum for any complaints or actions raised at the meeting to be addressed and resolved by the Committee. It may be therefore worthwhile to review the most recent meeting minutes to help inform any focus areas.</p>	<p>Noted. LCC submission to the previous Audit dated 26 September 2025 with the Auditor's response to the issues raised provided below.</p>
		LCC Submission IA # 3 26 September 2025	Auditor Response IA#3

Organisation	Consultation Date	Key Issues/Comments	Auditor Response
		<p>The conditions of approval (condition E28 - SSI 10053) for the MAR Project do require that within 12 months of the roads operation, noise measurements be undertaken to compare the 'actual noise performance' against the 'noise performance predicted' in the approvals documentation. This condition requires a final check that the noise identified within the planning approval documentation complies with the approval. An 'Operational Noise Compliance Report' is to be prepared to summarise these results and submitted to the Planning Secretary (condition E29 - SSI 10053) and made publicly available.</p>	<p>Noted. 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> <p>These requirements are to be fulfilled following the commencement of operation of the project and are therefore not triggered at the time of this Audit.</p>
		<p>It is also noted that the proposed MAR is also to be classified as a state road and handed over to TfNSW prior to the completion.</p>	<p>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.</p>

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 MAR 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 generally consistent with predictions made in the EIS.

3.9 Compliance with the Project Boundary

A high-level review of site maps presented in the Modification Report, the EIS and the Auditor's observations during the site inspection found that the construction works (noting the project boundary was surveyed and identified clearly with survey markers and boundary taping) are generally confined approved site boundaries.

There were no reported breaches of the project boundary reported during the Audit period.

3.10 Key Strengths

One key strength has been identified by the Audit relating to the reuse of materials including felled timber, placement of asbestos containing materials, topsoil and mulch salvaged from the MAR within landscaping features on the DURS in lieu of offsite disposal. This initiative has diverted waste from landfill and has minimised vehicle movements with associate traffic impacts and fuel consumption.

Note: 1. The DURS is included within the MPE Stage 1 Approval, however also within the MAR EPL (No. 21972) which facilitates for the transfer of this material under these approvals. These works were also undertaken with support from both Project ERs and the Site Auditor and is similar to other reuse activities achieved within the Moorebank Intermodal Precinct.

Appendix A DPHI Auditor Approval

Department of Planning and Environment



Our ref: SSI-10053-PA-32

[REDACTED]
NATIONAL INTERMODAL CORPORATION LIMITED
Level 33 1 o'connell street
Sydney New South Wales 2000
7/12/2023

Sent via the Major Projects Portal only

Subject: Moorebank Avenue Realignment - IEA Auditor Nomination

[REDACTED]
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:

[REDACTED]
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

[REDACTED]

[REDACTED]

Yours sincerely

[REDACTED]

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	04 May 2026

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]

[Redacted]

[Redacted]

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> <p>(c) <i>Moorebank Avenue Realignment Project Planning Approval (SSI-10053) – Modification Request dated 2 October 2024</i></p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26 • Approval Conditions of Consent – Responsibility Matrix (MAR) 	<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>There was no formal consistency assessments prepared during the Audit period.</p> <p>ER inspections are undertaken fortnightly.</p>	Compliant
A2	<p>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.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26 • Documents reviewed by the Auditor and noted in this report. 	<p>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.</p>	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 10/3/26 • Audit Interview 10/3/26. 	<p>As noted in condition A1, there were no formal consistency assessments prepared during the Audit period.</p> <p>No inconsistencies have been identified during the Audit period.</p>	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A4	<p>The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to:</p> <ul style="list-style-type: none"> a) The environmental performance of the SSI; b) Any document or correspondence in relation to the SSI; c) Any notification given to the Planning Secretary under the terms of this approval; d) Any Audit of the construction or operation of the SSI; e) The terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval); f) The carrying out of any additional monitoring or mitigation 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. 	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. 	<p>As noted in the Audit interview, there were no written directions received from the Planning Secretary during the Audit period</p>	Not triggered
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> <ul style="list-style-type: none"> a) Documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval; b) A log of the dates of engagement or attempted engagement with the identified party; 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; d) Outline of the issues raised by the identified party and how they have been addressed; and e) A description of the outstanding issues raised by the identified party and the reasons why they have not been addressed. 	<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 	<p>As noted in IA # 1, Management Plans include a description of the consultation undertaken with relevant stakeholders.</p> <p>During the previous (IA#3 Audit period), Environmental Management Plans were modified to accommodate the Environment Protection Licence. The changes were minor and were endorsed by the ER on the 21/8/25. The ER noted the changes were of an administrative nature, therefore no additional consultation required regarding the changes.</p> <p>There were no further changes to the Management Plans during this Audit period.</p>	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<p>Bushfire Management Plan, May 2023</p> <ul style="list-style-type: none"> MAR SSI-10053 Contamination Management Plan, March 2023 MAR SSI-10053 Construction Environmental Management Plan, May 2023. Letter from OptimE to National Intermodal titled "SSI10053 – Moorebank Avenue Realignment Works (MAR) Environmental Representative (ER) – Approved amendments to the Construction Environmental Management Plan (CEMP) and associated sub plans and monitoring programs" dated 21/8/25 		
A6	<p>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.</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 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	<p>This approval lapses five years after the date on which it is granted unless work has physically commenced on or before that date.</p>	<ul style="list-style-type: none"> Site Inspection 10/3/26 Audit Interview 10/3/26 Infrastructure Approval – SSI 10053 dated 14/10/21. 	<p>The project has commenced within the 5-year timeframe as required by this condition.</p>	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 10/3/26 Planning Agreements Liverpool City Council (nsw.gov.au). 	SVPA-2018-9696 is a voluntary planning agreement with Liverpool Council, TfNSW and Qube 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 10/3/26 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
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 10/3/26 Audit Interview 10/3/26. 	Relevant standards and guidelines have been referenced in the CEMP and subplans	Compliant
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 10/3/26 Audit Interview 10/3/26. Email from DPHI to National Intermodal titled "SSI 10053 – Independent Environmental Audit – Extension Request" dated 11/11/24 	As noted in IA #2, approval was obtained from DPHI to delay the second Independent Environmental Audit as there were limited site activities being undertaken (limited to geotechnical drilling/contamination investigations) with minimal impacts occurring.	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 10/3/26 • Audit Interview 10/3/26. 	Construction is not staged; therefore, a staging report is not required.	Not triggered
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 10/3/26 • Audit Interview 10/3/26. 	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>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. 	Construction is not staged; therefore, a staging report is not required.	Not triggered

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<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> <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	<p>The SSI must be staged in accordance with the Staging Report where one is prepared.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. 	<p>Construction is not staged; therefore, a staging report is not required.</p>	<p>Not triggered</p>
A16	<p>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.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26 • Letter from GHD to DPPI 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. 	<p>Construction is not staged; therefore, a staging report is not required.</p>	<p>Not triggered</p>

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 10/3/26 • Audit Interview 10/3/26. 	Construction is not staged; therefore, a staging report is not required.	Not triggered
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 10/3/26 • Audit Interview 10/3/26. 	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 10/3/26 • Audit Interview 10/3/26 • Letter from Optime E to GHD titled "Moorebank Avenue Realignment Project (MAR) 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. <i>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</i> 2. <i>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.</i> 3. <i>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.</i> 	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. 	<p>Approved management plans were in place prior to the commencement of construction.</p>	<p>Not triggered</p>
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 10/3/26 • Audit Interview 10/3/26. • Moorebank Avenue Realignment Works, Construction Environmental Management Plan, SSI – 10053, 22/1/25 • Moorebank Avenue Realignment, Environmental Impact Statement Volume 1, March 2021 	<p>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).</p>	<p>Not triggered</p>

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 10/3/26 • Audit Interview 10/3/26. 	<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 DPPI 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 10/3/26 • Audit Interview 10/3/26. 	<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> <p>As the CEMP and subplans were approved by DPHI on 6/4/23, compliance with this Condition has been achieved.</p>	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 10/3/26 • Audit Interview 10/3/26. • Letter from OptimE to BMD titled "Approval of Minor Construction Ancillary Facilities – Moorebank Avenue Realignment (SSI 10053)" dated 23/5/25 • Letter from OptimE to BMD titled "Approval of Minor Construction Ancillary Facilities – Moorebank Avenue Realignment (SSI 10053)" dated 22/5/25 • Minor Construction Ancillary Facility Application # 1, BMD dated 22/5/25 • Minor Construction Ancillary Facility Application # 3, BMD dated 09/07/25 • Letter from OptimE to BMD, titled "Approval of minor construction ancillary facilities – Moorebank Avenue Realignment (SSI 10053)" dated 20/02/26 • Email from OptimE, titled "New Ancillary Facility 004" dated 14/11/25 	<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 DPPI on 6/4/23, compliance with this Condition has been achieved</p> <p>During the IA # 3 Audit period, the ER approved two applications for minor construction ancillary facilities on 22/5/25 and 23/5/25. The ER letters of endorsement and the Minor Construction Ancillary Facilities application were provided to the Auditor for review</p> <p>During this IA # 4 Audit period, two applications for minor Approval facilities were approved by the ER (Applications # 4 and 6). The ER noted that the criteria for minor construction ancillary facilities has been met as they are:</p> <ul style="list-style-type: none"> • Located within and adjacent to the MAR approved project boundary • Intended for use by personnel directly engaged in project works, and restricted to standard construction hours unless otherwise approved under an Out-of-Hours Work Protocol • Assessed to have minimal amenity impacts on surrounding residences and businesses with consideration given to noise, traffic, access, dust, odour, and visual impacts noting the provision of a Vehicle Movement Plan • Demonstrated to have minimal environmental impacts, including with respect to waste, flooding, biodiversity, soil, water, and heritage values 	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 10/3/26 • 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. • Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment, Appointment of IEA" dated 7/12/23 	<p>Optim- E have been appointed as the independent Environmental Representative. Trigalana Environmental has been appointed as the Independent Environmental Auditor (IEA). Both the Environmental Representative and the IEA have current memberships of professional bodies with their appointments approved by DPHI.</p> <p>There has been no change to the ER or the IEA during the Audit period</p>	Compliant
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 10/3/26 • Audit Interview 10/3/26. 	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 10/3/26 • Audit Interview 10/3/26. 	The Planning Secretary has not withdrawn their approval of any independent appointment.	Not triggered

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
ENVIRONMENT REPRESENTATIVE				
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 	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
		<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. 		
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>	<ul style="list-style-type: none"> ER Audit Interview 10/3/26. Environmental Representative Site Inspection Report, dated 16/4/25 Letter from OptimE, titled "Approval of Minor Construction Ancillary Facilities – Moorbank Avenue Realignment (SSI 10053)" dated 17/12/25 Letter from OptimE to DPHI, titled "Environmental Representative (ER) Monthly Report for 1 December 2025 to 22 December 2025 Project SSI 10053 – Moorbank Avenue Realignment Works (MAR)" dated 22/12/25 Letter from OptimE to DPHI, titled "Environmental Representative (ER) Monthly Report for October 2025 Project SSI 10053 – Moorbank Avenue Realignment Works (MAR)" dated 05/11/25 ER Site inspection report, OptimE, dated 12/11/25 ER Site Inspection report, OptimE, dated 22/01/26 ER site inspection Report, OptimE, dated 04/02/26 	<p>The Environmental Representative's involvement in the project to date 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. Review of consistency assessments <p>Confirmation of the ER's involvement was provided in the form of:</p> <ul style="list-style-type: none"> Site Inspection Reports ER approvals for minor construction ancillary facilities (in accordance with Condition A24) Monthly ER reports to DPHI <p>ER inspections are undertaken fortnightly with the site supervisor in attendance, evidence was provided to the Auditor demonstrating the closure of ER actions.</p>	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<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> <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>			

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 10/03/26 	<p>The ER confirmed they have been provided with the necessary documentation for them to perform their role in accordance with the CoA.</p>	Compliant
NOTIFICATION OF COMMENCEMENT				
A33	<p>The Department must be notified in writing of the dates of commencement of construction and operation at least one month before those dates.</p>	<ul style="list-style-type: none"> Audit Interview 24/01/24 Email from National Intermodal to DPHI titled "MAR (SSI 10053) – Informing of Construction Commencement" dated 28/8/23. 	<p>DPHI were formally notified of the commencement of construction by email on 28/8/23.</p>	Compliant
AUDITING				
A34	<p>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.</p>	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment – IEA Auditor Nomination" dated 7/2/23. 	<p>DPHI approved the nominated Auditors on 7/2/23.</p>	Compliant
A35	<p>Independent Audits of the SSI must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (DPIE, 2020).</p>	<ul style="list-style-type: none"> Independent DPHI Compliance Audit, SSI 10053- Moorebank Avenue Realignment Works, Rev 0 dated 26/2/24 (Audit #1) Independent DPHI Compliance Audit, SSI 10053- Moorebank Avenue Realignment Works, Rev 0 dated 10/5/25 (Audit #2) 	<p>Audits are being undertaken in accordance with the Independent Audit Post Approval Requirements (DPIE, 2020) as required by this condition.</p>	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> Independent DPHI Compliance Audit, SSI 10053- Moorebank Avenue Realignment Works, Rev 0 dated 03/11/25 (Audit #3) This Audit report. 		
A36	<p>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.</p>	<ul style="list-style-type: none"> Audit interview 10/3/26. 	<p>The Planning Secretary has not requested Audits to be undertaken at different times to those above.</p>	Not triggered
A37	<p>In accordance with the specific requirements in the Independent Audit Post Approval Requirements (DPE, 2020), the Proponent must:</p> <p>(a) Review and respond to each Independent Audit Report prepared under Condition A35 or Condition A36;</p> <p>(b) Submit the response to the Planning Secretary; and</p> <p>(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.</p>	<ul style="list-style-type: none"> Audit interview 10/3/26 Independent DPHI Compliance Audit, SSI 10053- Moorebank Avenue Realignment Works, Rev 0 dated 03/11/25 (Audit #3) Letter from National Intermodal to DPHI titled "Moorebank Avenue Realignment Works – SSI 10053 Response to Independent Environmental Audit #3 dated 06/11/25 Moorebank Avenue Realignment (MAR) Archives Moorebank Intermodal Precinct 	<p>The Proponent's response to Independent Audit # 3 was issued to DPHI on within the timeframe required by this condition.</p> <p>All Independent Audits and the Proponents responses to submissions are provided on the Project website.</p>	Compliant
A38	<p>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).</p>	<ul style="list-style-type: none"> Audit interview 10/3/26. Letter from National Intermodal to DPHI titled "Moorebank Avenue Realignment Works – SSI 10053 Response to Independent Environmental Audit #3 dated 06/11/25 	<p>The proponent's response to Independent Audit # 3 was issued to DPHI on within the timeframe required by this condition.</p>	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> • Moorebank Avenue Realignment (MAR) Archives Moorebank Intermodal Precinct • Email from major projects nsw to DPIE, titled "Moorebank Avenue Realignment – Independent Audit Report 3 – Service Level Agreement" dated 07/11/25 		
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 10/3/26. 	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 10/3/26. • BMD Incident Reporting (INC_5278) • Email from Compliance Planning NSW, titled "SSI 10053 – Notification of non-compliance" dated 01/12/25 • Email from BMD, titled "Request for Incident Report under Condition R3 – EPL 21972" dated 22/12/25 • Email from National Intermodal, titled "SSI 10053 – Notification of non-compliance" dated 01/12/25 • Incident register, BMD, dated 24/11/25 	<p>The Auditor reviewed the incident register and incident reports relevant to the Audit period. One incident was reported to DPHI. The incident related to a stockpile that had slumped into a swale drain on 24/11/26. The incident involved the uncontrolled release of water that exceeded the turbidity concentration limit specified in the Environment Protection Licence (EPL). The incident was initially reported as a non compliance with Condition E75 with additional information provided to DPHI on the 22/12/26.</p> <p>Upon closing out the noncompliance, DPHI advised that, due to the potential for material harm, the event was considered an incident. DPHI further advised that similar events should be reported as incidents in the future.</p> <p>EPA were notified on 25/11/25 Following investigation an advisory letter was issued on 19 March 2026 (outside the audit period).</p>	Compliant
-----	---	---	--	-----------

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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"> <li data-bbox="927 306 1227 328">• Audit interview 10/3/26. 	As above	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"> <li data-bbox="927 453 1227 475">• Audit interview 10/3/26. 	<p data-bbox="1388 450 2047 558">One non-compliance was reported to DPPI during the Audit period for a stockpile that had slumped into a swale drain on 24/11/25 and resulted in turbid waters being discharged from off site.</p> <p data-bbox="1388 577 2047 628">The incident resulted in a non compliance with Condition E75.</p> <p data-bbox="1388 647 2047 756">The notification was made on 1/12/25 noting the date of the notification was within 7 days of BMD becoming aware of the non-compliance on 25/11/25. The notification included the following information:</p> <ul data-bbox="1438 775 2002 861" style="list-style-type: none"> <li data-bbox="1438 775 2002 798">• Identification of the SSI and the name of the SSI <li data-bbox="1438 807 2002 829">• Reasons for the non-compliance <li data-bbox="1438 839 2002 861">• Proposed corrective actions 	Compliant
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"> <li data-bbox="927 925 1227 948">• Audit interview 10/3/26. 	Noted. Refer to Auditors response to Condition A40 and A42 regarding the reporting of incidents and non compliances during the Audit period.	Compliant
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"> <li data-bbox="927 1158 1227 1181">• Site inspection 10/3/26. <li data-bbox="927 1190 1330 1273">• Moorebank Avenue Realignment (MAR) Archives Moorebank Intermodal Precinct 	<p data-bbox="1388 1158 2047 1209">A site notice was provided at the site entry gate with the required information.</p> <p data-bbox="1388 1228 2047 1279">The Information was also provided on the project website in accordance with this condition.</p>	Compliant

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A45	<p>The Proponent may subdivide land for the purposes of, and otherwise in connection with, the Moorebank Avenue Realignment project. Prior to obtaining a Subdivision Certificate, the Proponent is required to submit a final subdivision plan(s) to the Planning Secretary for information. The subdivision for the dedication of the Moorebank Avenue Realignment project as a public road in accordance with the Roads Act 1993 is to being generally consistent with any Land Dedication Plan(s) approved under the TfNSW Work Authorisation Deed (WAD).</p>	<ul style="list-style-type: none"> • Modification of Infrastructure Approval, SSI-10053-MOD-1: Future subdivision required for the purpose of, or in connection with, the Project. • Plan of Subdivision of Lot 1 in DP 825352, dated 30/09/25 • Letter from DPHI, titled "Moorebank Avenue Realignment (SSI-10053) subdivision, condition A45" dated 20/02/26 • Post Approval Form_20260115001424 • Email from Land Development Certificates to National Intermodal titled "Subdivision Certificate-Moorebank Avenue Re-alignment" dated 16/1/26 	<p>A subdivision plan has now been prepared for the development and issued to DPHI. DPHI acknowledged receipt of the Plan on 20/2/26 and that the Plan has been submitted to the Department prior to obtaining a subdivision certificate. Determination of a subdivision certificate (undertaken by a private certifier on 16/1/26 with email evidence provided to the Auditor.</p>	<p>Compliant</p>

Part B – COMMUNITY INFORMATION AND REPORTING

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
----	-------------	--------------------	--	-------------------

COMMUNITY INFORMATION, CONSULTATION, AND INVOLVEMENT

B1	<p>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.</p>	<ul style="list-style-type: none"> • Moorebank Avenue Realignment (MAR) Archives Moorebank Intermodal Precinct • CCC Meeting # 32 Minutes 03/03/26 • CCC Meeting # 31 Minutes 021225 • Community Consultative Committee – Terms of Reference, Moorbank Intermodal Precinct, dated 11/03/26 • Email from National Intermodal, titled “Moorbank Intermodal Precinct/ DPHI Bi-Monthly Meeting” dated 17/03/26 • Email from National Intermodal, titled “Moorebank Intermodal Precinct/ DPHI Bi-Monthly Meeting” dated 17/03/26 	<p>As noted below in condition B2, DPHI have approved the expansion of the Community Consultation Committee (CCC).</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> <p>During the Audit period, two CCC meetings were held on 2/12/25 and the 3/3/26.</p> <p>An independent chair has been appointed to run the CCC meetings which are held quarterly.</p> <p>Composition of the CCC includes:</p> <ul style="list-style-type: none"> • Independent Chair • Representatives of ESR, National Intermodal, Liverpool Council, and consultants of the Project team <p>Terms of reference (TOR) of the CCC were updated and issued to DPHI on 10/2/25. DPHI confirmed on 20/2/25, they had no comments with the TOR.</p> <p>General content of the CCC meetings included</p> <ul style="list-style-type: none"> • National Intermodal Precinct Update (including the Moorebank Avenue Re-Alignment and the disused Rail Spur • Quarterly Environmental Report • Complaints discussion • Any other business • An action log is kept monitor any actions arising from CCC meetings. 	Compliant
----	--	---	---	-----------

Part B – COMMUNITY INFORMATION AND REPORTING

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
B2	<p>The Planning Secretary may consider a request to expand an existing CCC for the MLP to cover the development and to satisfy Condition B1.</p>	<ul style="list-style-type: none"> • Audit interview 10/3/26 • 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
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 10/3/26 • Audit interview 10/3/26 • 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>The latest version of the CCS approved by DPHI on the 8/3/25 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>	<ul style="list-style-type: none"> • Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI-10053) Community Consultation Strategy, Condition B6". 	<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>	Compliant

Part B – COMMUNITY INFORMATION AND REPORTING

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<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> <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>	<ul style="list-style-type: none"> 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>The latest version of the CCS approved by DPHI on the 8/3/25 and was available on the project website.</p>	
B5	<p>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.</p>	<ul style="list-style-type: none"> Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI-10053) Community Consultation Strategy, Condition B6". 	<p>A stand-alone CCS has been prepared for the project and approved by DPHI.</p>	Not triggered

Part B – COMMUNITY INFORMATION AND REPORTING

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 CCC meeting minutes 050924 CCC meeting minutes 230524. CCC Meeting # 32 Minutes 03/03/26 CCC Meeting # 31 Minutes 021225 	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

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 Colliers. There have not been any complaints received in relation to the MAR works during the Audit period. 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
----	--	---	--	-----------

Part B – COMMUNITY INFORMATION AND REPORTING

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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> <p>This information must be accessible to all regardless of age, ethnicity, disability, or literacy level.</p>	<ul style="list-style-type: none"> Community Moorebank Intermodal Precinct 	<p>The relevant information is provided on the project website as follows:</p> <ol style="list-style-type: none"> 24/7 complaints and enquires number – 1800 512 393 Postal address –400 Moorebank Avenue, NSW 2170 Email address – community@esr.com Details of the mediation system are provided in the complaints handling procedure, Appendix B of the Community Communications Strategy <p>Community newsletters are available in a variety of languages including English, Arabic, Fijian, Filipino, Hindi and Vietnamese.</p>	Compliant
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> <p>(a) Number of complaints received;</p> <p>(b) The date and time of the complaint;</p> <p>(c) The method by which the complaint was made;</p> <p>(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;</p> <p>(e) Nature of the complaint;</p> <p>(f) Means by which the complaint was addressed and whether resolution was reached, with or without mediation; and</p>	<ul style="list-style-type: none"> Site Inspection 10/3/26 Audit interview 10/3/26. Complaints register as of 7 April 2025 Moorebank Avenue Realignment Works – Community Communications Strategy, National Intermodal, Rev D, 7/3/23 National Intermodal Terminal internal email titled “MAR Audit – Comms Evidence” dated 20/10/25 	<p>Colliers 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>As noted in section 3.5, the recommendation from the previous Audit in relation to this condition has been closed out.</p>	Complaint

Part B – COMMUNITY INFORMATION AND REPORTING

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>(g) If no action was taken, the reason(s) why no action was taken.</p> <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>			
B11	<p>The Complaints Register must be provided to the Planning Secretary upon request, within the timeframe stated in the request.</p>	<ul style="list-style-type: none"> Audit interview 10/3/26. Letter from OptimE to DPHI titled "Environmental Representative (ER) Monthly Report for December 2024 Project SSI 10053- Moorebank Avenue Realignment Works (MAR), dated 5/1/25 	<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> <p>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).</p> <p>Evidence of submission of the complaints register to DPHI was provided to the Auditor.</p>	Not triggered
B12	<p>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.</p>	<ul style="list-style-type: none"> Audit interview 10/3/26. 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>Section 6 and Appendix B of the CCS include details of the Complaints Management System and contact information line. The CCS was approved by DPHI and covers the Moorebank Intermodal Precinct.</p>	Compliant

Part B – COMMUNITY INFORMATION AND REPORTING

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
----	-------------	--------------------	--	-------------------

PROVISION OF ELECTRONIC INFORMATION

<p>B13</p>	<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>As recommended by the previous Audit (IA#2), the complaints register was updated to include an additional column that documents which precinct of the intermodal terminal the complaint relates to so that it is clear which complaints are related to the MAR project, and which complaints are related to other parts of the precinct.</p>	<p>Complaint</p>
-------------------	--	---	---	------------------

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	<p>(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.</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>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 DPPI 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 MAR have prepared a standalone CEMP for the project that is aligned with the DPPI approved CEMP and BMD processes and procedures.</p> <p>During the previous (IA#3) Audit period, Environmental Management Plans were modified to accommodate the Environment Protection Licence. The changes were minor and were endorsed by the ER on the 21/8/25. The ER noted the changes were of an administrative nature, therefore no additional consultation required regarding the changes.</p>	<p>Compliant</p>
----	--	---	---	------------------

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 "Moorebank Avenue Realignment (SSI10053) Construction Environmental Management Plan, Conditions C1-C11" dated 6/4/23. Environmental Management Plan, Moorebank Avenue Realignment Works (MAR) National Intermodal Corporation Limited 121-2118, rev 1 dated 11/2/25 Letter from OptimE to National Intermodal titled "SSI10053 – Moorebank Avenue Realignment Works (MAR) Environmental Representative (ER) – Approved amendments to the Construction Environmental Management Plan (CEMP) and associated sub plans and monitoring programs" dated 21/8/25 		
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	A CEMP must provide:	<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>(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 I 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> <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>			

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<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	<p>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.</p>	<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. 	<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
C5	<p>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.</p>	<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. 	<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

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C6	<p>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.</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>Consultation undertaken for each subplan is summarised in Appendix A with consultation records provided in Appendix A.</p>	<p>Compliant</p>

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>	<p>Compliant</p>

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 A14I 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 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 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
C9	<p>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.</p>	<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

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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
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

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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; (g) The reporting of monitoring results and analysis results against relevant criteria; (h) Details of the methods that will be used to analyse the monitoring data; (i) Procedures to identify and implement additional mitigation measures where the results of the monitoring indicate unacceptable project impacts; (j) A consideration of SMART principles; (k) Any consultation to be undertaken in relation to the monitoring programs; (l) Any specific requirements outlined in the terms of this approval; and (m) Details of all information requested by an agency during consultation, including copies of all correspondence from those agencies as required by Condition A5. 	<ul style="list-style-type: none"> • MAR SSI-10053 Construction Noise and Vibration Management Plan, June 2023 – Appendix E. 	<p>The Construction Noise and Vibration Monitoring Program 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
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
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 10/3/26 Audit interview 10/3/26. 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. Construction Noise Compliance Consultant Advice Notice, Octave Acoustics, dated 12/11/25 Consultant advice notice, Octave acoustics, dated 13/01/26 Out of hours work application for Moorebank realignment works, 	<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 Real time unattended noise monitoring on an as required basis. <p>Evidence of implementation of the CNVMP during the audit period included:</p> <ul style="list-style-type: none"> Noise monitoring records 	Compliant

Part C – CONSTRUCTION ENVIRONMENTAL MANAGEMENT

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> • BMD, dated 07/10/25 • Out of Hours work application for Moorebank Ave Realignment Works. BMD, dated 27/10/25 • Out of Hours work application for Moorebank Ave Realignment Works. BMD, dated 06/01/26 	<ul style="list-style-type: none"> • Point source monitoring (of specific activity/equipment) • Out of Hours works applications 	
C17	<p>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.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit interview 10/3/26. • Moorebank Avenue Realignment Works, Construction Noise and Vibration Management Plan, Rev H, January 2025 (Appendix E) • Noise and Vibration Construction Monitoring Report, BMD, dated March -September 2025 	<p>Section 6.1 of the Construction Noise and Vibration Monitoring Program (included as Appendix E of the Construction Noise and Vibration Management Plan notes the "Monitoring Reports will be prepared and submitted to the Planning Secretary every six months and to relevant regulatory agencies for information in accordance with NSW COA C16 and published on the National Intermodal Website.</p> <p>A copy of the report prepared for the period from March 2025 to September was provided to the Auditor. The report was available on the Project website.</p>	Compliant

PART D – OPERATIONAL ENVIRONMENTAL MANAGEMENT

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
----	-------------	--------------------	--	-------------------

OPERATIONAL ENVIRONMENTAL MANAGEMENT

D1	<p>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.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. 	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 10/3/26 • Audit Interview 10/3/26. 	Not triggered, operational requirement	Not Triggered
D3	<p>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</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. 	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 10/3/26 • Audit Interview 10/3/26. 	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 10/3/26 • Audit Interview 10/3/26. 	<p>Measures to minimise dust generation observed during the site inspection included:</p> <ul style="list-style-type: none"> • Stabilised site access and vehicle shaker pad • Geofabric covered stockpiles • Temporary ground stabilisation • Street sweeper • Water cart • Speed restriction signage <p>There was one complaint received relating to the MAR project during the Audit period. This was received on 11th November 2025 from the neighbouring warehouse management company regarding dust. Dust mitigation and monitoring was increased. The EPA was advised and satisfied with the project's response. There was no noticeable dust generated during the site inspection</p>	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 10/3/26 • Audit Interview 10/3/26. 	<p>No intrusion on the lands established as a Biobanking site under the BioBanking agreement No. 341 were observed during the Audit site inspection. The area was fenced off with signage in place.</p> <p>As noted in Conditions A41 and E3, the reported non compliance for over clearing did not result in impacts to the Biobanking Site (241)</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E3	<p>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.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. • BMD Summary of Areas cleared for MAR under SSI and EPBC, BMD 	<p>During the previous Audit period (IA #3), a non-compliance was reported to DPHI during the Audit period for a clearing event that occurred outside the project boundary. There have been no further over clearing non-compliances during this IA#4 Audit period.</p> <p>BMD track the clearing undertaken and assess against the predictions in the EIS, specifically Table 7.4. The Table confirms that all clearing has been undertaken within the clearing footprint with no overclearing incidents occurring within the Audit period.</p> <p>The total value of areas to be cleared as predicted in the EIS is 9.14HA, with the areas cleared to date totalling 7.95 Ha with a further 0.06 Ha to be cleared.</p> <p>The total areas to be cleared are therefore likely to be less than the areas predicted in the EIS.</p>	Compliant
E4	<p>Before the commencement of works, a Biodiversity Offset Strategy must be prepared in consultation with EES Group and DAWE.</p>	<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. • Summary of Vegetation cleared for MAR under SSI and EPBC, BMD, (undated) 	<p>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.</p>	Compliant
E5	<p>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</p>	<ul style="list-style-type: none"> • Letter from National Intermodal to DPHI titled "Moorebank Avenue Realignment (SSI 10053)- Biodiversity Credits" dated 20/7/23. 	<p>The letter from National Intermodal to DPHI provides details of the retirement of biodiversity credits including a credit retirement report.</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 in accordance with condition E7	Compliant
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 in accordance with condition E7	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 (LCC) dated 27/9/23 • Landcare enquiry acknowledgment • Moorebank Intermodal Biobank Offset Area BA341 Annual Report Year 4, National Intermodal Corporation, Ecological dated 15/5/25 • Photographic evidence - Logs and stumps reuse 	<p>Consultation with both LCC 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>Reuse opportunities for cleared vegetation are being taken within the project including the reuse of mulch on site and the reuse of materials for the disused rail spur adjacent to the site. Some timber was stockpiled within the site for beneficial reuse.</p> <p>As observed during the Audit sites inspection with further photographic evidence provided to the Auditor, logs and stumps from cleared vegetation are being beneficially reused in the DURS.</p>	Compliant
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>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. • Moorebank Avenue Realignment Works (MAR) – Flood Investigation Report – 100% Detailed design report, Arcadis 5/2/24 • Email from Arcadis to National Intermodal titled "MAR SSI 10053 – E10 Flooding" dated 9/10/25 • CV Dr Yuan Li – Principal Water Engineer, Arcadis 	<p>Arcadis have been appointed as the project flood engineers and have confirmed the following in relation to this condition:</p> <ul style="list-style-type: none"> • These measures have been incorporated into the 100% Design reporting which has been prepared, reviewed and endorsed by suitably qualified and experienced flood engineers (Dr Yuan Li (Principal Water Engineer - Arcadis and Vincent Ng (Principal Drainage Modeller/ Engineer - Arcadis)). These agencies have been consulted throughout the design process (refer to Executive Summary of the Report). 	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<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>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. • Moorebank Avenue Realignment Works (MAR) – Flood Investigation Report – 100% Detailed design report, Arcadis 5/2/24 • Email from Arcadis to National Intermodal titled “MAR SSI 10053 – E10 Flooding” dated 9/10/25 • CV Dr Yuan Li – Principal Water Engineer, Arcadis 	<ul style="list-style-type: none"> • The EIS and the 100% Design both proposed discharge from the northern part of the MAR (Basin A) into a channel located on the neighbouring Defence Joint Logistics Unit (DJLU). • The Overland Flow Report (Costin Roe, 2020), provided within the EIS (Appendix B) does not provide a flood impact assessment for the northern part of the MAR site; it focuses on the southern part which interfaces with Anzac Creek. Therefore the EIS does not specifically identify flood standards for the northern part of the MAR. This report (Section 6.5) shows 'locally confined' minor flood increases adjacent to the proposed MAR during the 1% AEP event, noting that the broader floodplain would not be impacted. • The condition focuses on maintaining the 1% AEP rainfall event for the broader floodplain, noting that there may be some exceptions to localised drainage. • The 100% Design results in some localised changes to drainage above the 1% AEP rainfall event, however, maintains this event within the broader floodplain. These localised changes relate to isolated areas including: <ul style="list-style-type: none"> • Surrounding bushland, within Lot 4 owned by the Commonwealth - additional localised inundation would be experienced within this area (as identified within the EIS, however extent of areas has been reduced) • Drainage channel, within the neighbouring Defence Joint Logistics Unit - as a result of the considerable depth of the channel this increase would not result in any overtopping of the channel in this event (i.e. water would be confined to the channel and have no inundation impact on the surrounding properties (DJLU, MPE or surrounding areas)). Department of Defence (DJLU owner) has been engaged in relation to this drainage, with their final position being accepting the 100% Design. • Ultimately, condition E10 allows for flexibility in these flood standards, where impacts are localised and there is no increase in the broader floodplain. The 100% Design is therefore considered consistent with this condition. 	

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	(b) A maximum increase in inundation time of one hour in a 1% AEP rainfall event	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. • Moorebank Avenue Realignment Works (MAR) – Flood Investigation Report – 100% Detailed design report, Arcadis 5/2/24 • Email from Arcadis to National Intermodal titled “MAR SSI 10053 – E10 Flooding” dated 9/10/25 • CV Dr Yuan Li – Principal Water Engineer, Arcadis 	<ul style="list-style-type: none"> • The 100% Design indicates that the MAR would not result in an increase to inundation time above one hour in a 1% AEP rainfall event for the broader floodplain. • There is a small increase in inundation duration time near the northern end of the MAR, isolated to the Moorebank Avenue northbound traffic lane in the north-western area (Section 5.3 of the Report). There is no material changes to hazards and trafficability and TfNSW has signed off this approach as part of the review of the 100% Design. • This impact is localised to the road and would not affect surrounding properties or the broader floodplain. Therefore, this approach is considered consistent with the intent of E10 	
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. 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.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. 	Not required to be completed until the completion of construction work.	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 10/3/26 • Audit Interview 10/3/26 • Environmental Work Method Statement, Moorebank Logistics Park – Moorebank Avenue Realignment Works. • Letter from Artefact to National Intermodal, 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 • Moorebank Avenue Realignment – Unexpected Historical heritage find Memo, artefact, dated 11/12/25 • General correspondence #GC-675, National Intermodal, dated 21/10/25 	<p>Several Environmental Work Method Statements (EWMS) have been prepared and are being implemented. The 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>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> <p>During the Audit period, one unexpected heritage item (find) was encountered. Appropriate notifications were made in accordance with the Unexpected Finds Protocol.</p> <p>Artefact (heritage consultants) visited the site and assessed the item to be "a wooden staved pipe with binding wire. It appeared that the timber had degraded and the pipe was in overall fair condition"</p> <p>Artefact assessed the pipe to be of local heritage significance with a detailed recording of the pipe previously undertaken and confirmed removal of the pipe to be acceptable.</p>	Compliant
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 10/3/26 • Audit Interview 10/3/26 • Moorebank Avenue Realignment Works, Construction Heritage Management Plan, 8/5/25. 	<p>The unexpected finds and human remain procedures are included as Appendix D of the Heritage Management Plan.</p> <p>Refer to the Auditors response to condition E12 regarding an unexpected find encountered during the Audit period.,</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E14	<p>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.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26 • Moorebank Avenue Realignment Works, Construction Heritage Management Plan, 8/5/25. 	<p>The unexpected finds and human remains procedures are included as Appendix D of the Heritage Management Plan.</p>	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 10/3/26 • Audit Interview 10/3/26. • Moorebank Avenue Realignment – Unexpected Historical heritage find Memo, artefact, dated 11/12/25 • General correspondence #GC-675, National Intermodal, dated 21/10/25 	<p>The BMD project induction includes details of heritage management requirements as well as unexpected finds protocols.</p> <p>During the Audit period, one unexpected heritage item (find) was encountered. Appropriate notifications were made in accordance with the Unexpected Finds Protocol.</p> <p>Artefact (heritage consultants) visited the site and assessed the item to be <i>“a wooden staved pipe with binding wire. It appeared that the timber had degraded and the pipe was in overall fair condition”</i></p> <p>Artefact assessed the pipe to be of local heritage significance with a detailed recording of the pipe previously undertaken and confirmed removal of the pipe to be acceptable.</p>	Compliant
E16	<p>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.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. • Moorebank Avenue Realignment Works, Construction Heritage Management Plan, Arcadis, Rev I dated 22/01/25 	<p>Section 6.2.1 of the CHMP notes the following:</p> <p><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></p>	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E17	<p>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.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. 	<p>As noted above, there is no requirement for archaeological excavation, and therefore an Excavation Director is not needed.</p>	Not triggered
NOISE AND VIBRATION				
E18	<p>Work must only be undertaken during the following hours:</p> <p>(a) 7:00am to 6:00pm Mondays to Fridays, inclusive;</p> <p>(b) 8:00am to 1:00pm Saturdays; and</p> <p>(c) At no time on Sundays or public holidays.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. 	<p>During the Audit period, some OOH work have been undertaken including, early use of water carts for effective dust suppression, concrete finishing and environmental works.</p> <p>These out of hours works have been undertaken in accordance with the EPL following assessment and approval by the BMD Environment Manager.</p>	Compliant
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>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. • Environment Protection Licence EPL # (21972) 	<p>BMD Constructions are the holders of EPL 21972. Conditions L5.1 and L5.2 provide details of requirements for hours of operation and for highly intensive noisy activities.</p> <p>It was noted that there have been no heavy rock breaking, crushing or impact piling activities undertaken during the Audit period.</p>	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<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>			
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> <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>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. 	<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>(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 <p>(c) By Approval, including:</p> <p>(i) Where different construction hours are permitted or required under an EPL in force in respect of the SSI; or</p> <p>(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</p>			

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	(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> <p style="padding-left: 40px;">(i) The ER reviews all proposed out-of-hours activities and confirm their risk levels,</p> <p style="padding-left: 40px;">(ii) Low risk activities can be approved by the ER, and</p> <p style="padding-left: 40px;">(iii) High risk activities are approved by the Planning Secretary;</p> <p>(b) A process for the consideration of and justification for out-of-hours work against the relevant NML and vibration criteria;</p>	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26 • 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. • Environment Protection Licence EPL # (21972) 	<p>The Construction Noise and Vibration Management Plan include the OOH works protocol. The Plan has been endorsed the ER.</p> <p>As noted above, the project is subject to an EPL which defines the process for undertaking OOH works (refer to EPL 21972 conditions L5.4- L5.10).</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<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> <p>(e) BS 7385 Part 2-1993 "Evaluation and measurement for vibration in buildings Part 2"</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. • Grader Service record, DJM Excavations, dated 07/07/25 • Proof of equipment servicing (undated) • Service Check list, Austeire Plant hjre, dated 06/11/25 • Service Record, undated • Volvo – FE 320 proof of service, undated • Vac Truck Maintenance, dated 30/12/25 • Consultant Advice Notice, Octave Acoustics, dated 12/11/25 • Consultant advice notice, Octave acoustics, dated 13/01/26 • Out of hours work application for 	<p>Evidence provided to the Auditor to demonstrate the implementation of measures to minimise noise and vibration included:</p> <ul style="list-style-type: none"> • OOH works application forms with details • Service and maintenance records • Noise monitoring results for site as well as point sources of equipment <p>As noted in Condition C17, a construction noise and vibration monitoring report has been prepared and is available on the project website.</p> <p>No noise related complaints have been received during the Audit period.</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>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>	<p>Moorebank realignment works, BMD, dated 07/10/25</p> <ul style="list-style-type: none"> • Out of Hours work application for Moorebank Ave Realignment Works. BMD, dated 27/10/25 • Out of Hours work application for Moorebank Ave Realignment 		
E23	<p>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.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. • Attended Noise Monitoring Data Sheet, BMD, 25 Exford Court Wattle Grove, dated 12/8/25 • Point Source Noise Monitoring Check Sheet, 25 Yallum Court, dated 17/4/25 • Consideration of noise levels and Wattle Grove Public School, BMD, dated 05/03/26 	<p>The nearest sensitive educational institution is the Wattle Grove Public School which is located approximately 750m Section 5.4.2 of the CNVMP notes the relevant NML for “classrooms at schools and other educational institutions” to be 45dBA (LA eq 15mins). The Auditor notes that the criteria is an “internal criteria” with substantial noise reduction provided by windows and building facades.</p> <p>The Auditor reviewed the results of noise monitoring undertaken in the Wattle Grove residential area (25 Exford Court and 25 Yallum Court) with the LAeq results < 45dBA.</p> <p>Based on the noise monitoring results and noting the NML is an internal criteria, it is highly unlikely that the relevant NML has been exceeded.</p> <p>The previous Audit (IA#3) recommended that</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
			<p><i>“For any noisy work that is planned to be undertaken during school hours with the potential for disturbance to the school, it is recommended that targeted consultation is undertaken with the school to determine any specific timetabling requirements that would require alternate scheduling.</i></p> <p><i>Monitoring within the classrooms is also recommended in the event of a noise complaint from the school.”</i> In response to this recommendation, BMD undertook an assessment of the potential noise impacts at the Wattle Grove School. The assessment evaluated a range of “worst case” construction scenarios and concluded <i>“that for the range of activities modelled, it is unlikely that any have the potential to disturb the school. Verification monitoring undertaken so far on the project supports this, further there have been no noise complaints have been received from members of the community to date”</i></p> <p>These conclusions are consistent with the Auditors observations made during this and previous Audits.</p>	
E24	<p>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.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. • Noise and Vibration Construction Monitoring Report, BMD, dated March - September 2025 	<p>The Auditor reviewed noise monitoring results for the Audit period. Based on the results provided, compliance with the requirements of this condition has been achieved.</p> <p>As noted in Condition C17, a construction noise and vibration report has been prepared and is available on the project website. Noise monitoring results confirmed compliance with this criteria.</p>	Compliant
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 	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. • Atlas Autocare Concrete Pump Service Record dated 14/8/25 • Oneill’s Plant Hire, Equipment Service Record dated 4/6/25 • Photographic Record – Noise Blanket 	<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) 	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>standard construction hours;</p> <p>c) Temporary noise barriers (including the arrangement of plant and equipment) around noisy equipment and activities such as rockhammering and concrete cutting; and</p> <p>d) Use of alternative construction and demolition techniques.</p>	<ul style="list-style-type: none"> • Solution Plant Hire, Equipment Maintenance Record, dated 8/5/25 • B&K Revegetation and Landscaping, Truck Service Checklist, dated 2/12/24 	<ul style="list-style-type: none"> • 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>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>Evidence provided to the Auditor to demonstrate the implementation of measures to minimise noise and vibration during this audit period included:</p> <ul style="list-style-type: none"> • Construction Noise and Vibration Impact Assessments • Sensitive receiver impact assessments (e.g. Wattle Grove Public School) • Service and maintenance records • Noise monitoring results 	
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 10/3/26 • Audit Interview 10/3/26. • BMD Utility Connections Out of Hours Work Application • Construction Noise Impact Assessment, Moorebank Ave Realignment • Email from BMD to OptimE titled "Out of Hours for the Utility Connection weekend" dated 12/6/25 • Construction Noise Impact Assessment, Octave Accoustics, dated 18/02/26 • Out of hours work application, BMD, dated 27/01/26 	<p>During the Audit period, one Construction Noise and Vibration Impact Statement (CNVIS) has been prepared for road and paving works</p> <p>Assessment of noise impacts associated with the Works indicates that compliance with the project NMLs will be achieved during all periods except for:</p> <ul style="list-style-type: none"> • General concrete works at night time • Lean mix paving works • LMC hand pour works within each zone • Kerb and gutter machine paving works • Apphalt paving works 	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
			<p>The CNVIS recommended administrative controls are employed to minimise noise for OOH works.</p> <p>Recommendation.</p> <p>The recommendations made by the Acoustic consultant are administrative and do not make any specific recommendations about activities that may reduce noise impacts where exceedances are predicted. Examples might be the use of temporary acoustic barriers at the source of the noise to reduce noise impacts.</p> <p>Further assessment of potential mitigations measures are recommended.</p>	
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> <ul style="list-style-type: none"> a) Reschedule work to provide respite to impacted noise sensitive land user(s); or b) Consider the provision of alternative respite or mitigation to impacted noise sensitive land user(s); and c) provide documentary evidence to the ER in support of any decision made by the Proponent in relation to respite or mitigation. <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 10/3/26 • Audit Interview 10/3/26. • Community Consultative Committee Meeting No.32, Moorebank Intermodal Precinct, dated 03/03/26 	<p>The Auditor reviewed noise monitoring results for the Audit period. Based on the results provided, the need to reschedule or coordinate work with other parties has not been required during the Audit period.</p> <p>National Intermodal were aware of works planned for the M5 intersection. It was noted that these works have only recently commenced (in late 2025) with no impacts realised at this stage.</p> <p>A TfNSW representative attended CCC meeting # 32 on 3/3/26 and provided a presentation and updated on the M5 and Cambridge Avenue updates.</p>	Compliant

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 10/3/26 • Audit Interview 10/3/26. 	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> <ul style="list-style-type: none"> a) Compliance with the operational noise levels predicted in the documents listed in Condition A1; 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); 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; 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; e) Any required recalibrations of the noise model taking into consideration factors such as noise monitoring and actual traffic numbers and proportions; 	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. 	Operational requirement- not triggered.	Not Triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<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

E30	<p>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.</p>	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. • MAR Utilities Register • Moorebank Avenue Realignment Works (Utility Schedule), Sheets dated 26/3/25 • Email from BGIS to National Intermodal titled “MARC IFC Rev01 Issue For Information” dated 18/3/24 • Construction drawings” Liverpool Council Area- traffic signals at Moorebank Avenue and Dispatch Loop Holsworthy” dated 	<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
-----	--	--	--	-----------

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> Letter form Optus to BMD Constructions titled "Underground to Underground Relocation" dated 25/3/25 		

SOILS

E31	<p>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'.</p>	<ul style="list-style-type: none"> Site Inspection 10/3/26 Audit Interview 10/3/26 Monthly Water Quality Assessment – May 2025- Moorebank Avenue Realignment Works (MAR), Property Risk Australia, dated 3/7/25 Dewatering and Discharge Assessment, - 3 July 2025, dated 10/7/25 Monthly Water Quality Assessment – May 2025- Moorebank Avenue Realignment Works (MAR), Property Risk Australia, dated 15/7/25 Permit to Discharge Water – Moorebank Avenue Realignment Works -2118, BMD (various permits) Erosion and Sediment Control Report, SOS Environmental Pty Ltd, dated 28/4/25 Erosion and Sediment Control Report, SOS Environmental Pty Ltd, dated 30/07/25 BMD Post Rainfall Inspection Report, ENV 8029 dated 16/6/25 BMD Post Rainfall Inspection Report, ENV 8103 dated 26/5/25 BMD Post Rainfall Inspection Report, ENV 8882 dated 11/8/25 	<p>Erosion and sediment controls observed during the site inspection were consistent with the Blue Book and were appropriate for the activities being undertaken.</p> <p>BMD has appointed an experienced CPESC to undertake monthly inspections of erosion and sediment controls and make recommendations to ensure compliance with the "Blue Book Requirements". The BMD Environment team undertakes weekly inspections as well as pre- and post-rainfall inspections to ensure controls are fully functional prior to a wet weather event with corrective actions implemented following a rain event to ensure any repairs required are completed prior to the next wet weather event. Other records provided to the Auditor to demonstrate the implementation of the Erosion and Sediment Control Plan include dewatering permits as well as water quality monitoring results of sediment basins prior to discharge.</p> <p>The BMD environment team noted that an environmental labour crew has been formed to assist with the implementation of the plan.</p> <p>A recommendation made in the previous Audit is noted as follows: <i>"While well documented procedures are in place to discharge treated water from sediment basins, it is recommended signage is installed at each sediment basin discharge point to alert operators to undertake the necessary testing and obtain the correct "Permit to Pump" approvals prior to releasing water from any sediment basin"</i></p> <p>As observed during the Audit site inspection, appropriate signage has now been installed (refer to photo 14).</p>	Compliant
-----	--	---	--	-----------

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> • BMD Pre Rainfall Inspection Report, ENV 8066 dated 20/5/25 • BMD Pre Rainfall Inspection Report, ENV 8878 dated 08/08/25 • Progressive ESCP/Environmental Site Plan-Post Clear and Grub Phase MADR – Sheet1 – List of active ESCP Drawings, dated 8/9/25 • BMD Weekly Environmental Inspection Report – WHSE_114164 dated 30/4/25 • BMD Weekly Environmental Inspection Report – WHSE_14792 dated 22/07/25 • BMD Weekly Environmental Inspection Report – WHSE_15353 dated 19/08/25 • Environmental (ENV_9952), BMD, dated 18/11/25 • Environmental (ENV_10191), BMD 03/12/25 • Various site photos • Moorbank – Synergy Water Treatment Plant Performance Report, January 2026, Resource Management Sydney, (undated) • Permit to Discharge/ Move Water, BMD, dated 18/02/26 • Permit to discharge/ move water, BMD, dated 25/02/25 • Permit to discharge/ move water, BMD, 06/03/26 • Erosion and sediment control report, SOS 13/10/25 • Erosion and sediment control report, SOS, 16/02/26 • Erosion and sediment control report, SOS, dated 17/11/25 		

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 10/3/26 • Audit Interview 10/3/26 • 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 DPHI 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
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 10/3/26 • Audit Interview 10/3/26 • 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	<p>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.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. • 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> <p>There have been no interim advice issued during the Audit period.</p>	Compliant
E35	<p>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.</p>	<ul style="list-style-type: none"> • Site Inspection 10/3/26 • Audit Interview 10/3/26. • 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 • Minutes of Meeting – Weekly Contamination Meeting, BMD, dated 02/09/25 • Minutes of meeting contamination meeting, BMD, dated 23/01/25 • Minutes of meeting, weekly contamination meeting, BMD, dated 09/10/25 • Weekly contamination meeting, BMD, dated 06/11/25 	<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> <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>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> • Asbestos materials clearance inspection report, Property risk Australia, dated 08/10/25 • Asbestos materials clearance inspection report, Property risk Australia, dated 20/11/25 • Waste classification assessment, Property risk Australia, dated 27/01/26 • Analytical report, SGS, dated 19/06/25 	<p>A weekly meeting has been established to coordinate management actions relating to remediation.</p> <p>During the Audit period, several unexpected asbestos finds were discovered. A specialist consultant was engaged to identify the asbestos material, oversee its removal, undertake air monitoring with a subsequent clearance inspection to confirm its safe removal.</p> <p>Asbestos stockpiles as noted in previous Audit inspections have been incorporated into final landscaping mounds at the DURS site (refer to the Auditors response to E39 for more information).</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 10/3/26 • Audit Interview 10/3/26. • 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 10/3/26 • Audit Interview 10/3/26. • National Intermodal, Remediation Action Plan, Moorebank Re-alignment Project, WSP, Rev C dated 5/7/24 	<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
		<ul style="list-style-type: none"> 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 		
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 10/3/26 Audit Interview 10/3/26. 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

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 (CEvP(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> <ul style="list-style-type: none"> (i) Comment on the extent and nature of the remediation undertaken; (ii) Describe the location, nature and extent of any remaining contamination as well as any ongoing management requirements; (iii) Classification and appropriate removal/disposal of the stockpiled materials; (iv) Clearance survey of unexploded ordnance (UXO), Explosive Ordnance, and removal of Explosive Ordnance Waste (EOW); 	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. • Letter from pitt&sherry, titled "Request for ER Review and Endorsement of Relocation and placement of soil materials to disused rail spur (DURS) from Moorebank Avenue Realignment (MAR), dated 16/10/25 • Email from optimenv, titled "MAR – Sustainable Material Management" dated 24/10/25 • Email from enviroview, titled "Memo - Relocation and Placement of Soil Materials as part of the Moorebank Avenue Realignment and Disused Railway Spur Rehabilitation" dated 01/10/25 	<p>As noted above, a Remediation Action Plan has been prepared and endorsed by the Contaminated Sites Auditor. As noted in condition E35, remediation has now commenced, and a weekly meeting established to coordinate management actions relating to remediation.</p> <p>Asbestos stockpiles as noted in previous Audit inspections have been incorporated into final landscaping mounds at the DURS site. This activity was endorsed by the ER on 24/10/25 following:</p> <ul style="list-style-type: none"> • Endorsement by the site contamination auditor on 1/10/25 • Confirmation that landowners consent had been obtained and the EPL has been extended <p>The validation report is required to be prepared following completion of remediation and this will occur at a later stage towards completion of the project.</p>	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<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>			
E40	<p>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.</p>	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. 	<p>Pre-operational requirement – not triggered.</p>	<p>Not triggered</p>

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 10/3/26 • Audit Interview 10/3/26 • 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 10/3/26 • Audit Interview 10/3/26. National Intermodal, Moorebank Avenue Realignment Project, Targeted Site Contamination Investigation Report, May 2024, WSP, Rev D, 17/5/24 • Environment Testing report, eurofins, dated 03/12/25 • Environment Testing report, eurofins, dated 27/02/26 • Environment Testing report, eurofins, dated 03/03/26 	<p>The site investigation report identifies the presence of PFAS in soils. Consultation with EPA has been undertaken and the EPL includes requirements for PFAS monitoring.</p> <p>A water treatment plant has been established on site to treat PFAS contaminated water. Water is tested for PFAS prior to discharge. Water discharges are tested for PFAS with results provided to the EPA and uploaded to the project website.</p>	Compliant
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. • General correspondence #GC-716, National Intermodal, dated 06/11/25 • General Correspondence #GC-606, National Intermodal, dated 26/09/25 • General Correspondence #GC-914, National Intermodal, dated 05/02/26 • Asbestos materials clearance inspection report, Property risk Australia, dated 08/10/25 	<p>Appendix C of the Construction Contaminated Land Management Subplan contains the unexpected finds procedure.</p> <p>Evidence provided to the Auditor demonstrating implementation of the Unexpected Finds Procedure include the following:</p> <ul style="list-style-type: none"> • Laboratory analysis reports • Asbestos materials clearance reports providing details of visual clearance inspections undertaken as well as details of air monitoring undertaken • Notification of unexpected asbestos finds 	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> • Asbestos materials clearance inspection report, Property risk Australia, dated 20/11/25 • Waste classification assessment, Property risk Australia, dated 27/01/26 • Analytical report, SGS, dated 19/06/25 		
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 10/3/26 • Audit Interview 10/3/26. 	Operational requirement – not triggered.	Not triggered
E45	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.	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. 	Operational requirement – not triggered.	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<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>			
E46	<p>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</p>	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. 	<p>There were no restrictions of public access to Moorebank Avenue observed during the Audit site inspection.</p>	Compliant
E47	<p>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.</p>	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. 	<p>Access to utilities and properties were observed to be maintained during the Audit inspection.</p>	Compliant
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 10/3/26 • Audit Interview 10/3/26. 	<p>No property access was physically affected at the time of the Audit inspection.</p>	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E49	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.	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. • Supply Contract, Moorebank Avenue Re-Alignment Works, Supplier Contract Number, 21188049, dated 19/9/25 • BMD Email titled "Re Real Time Tracking.msg" 	<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 had commenced, and an earthworks contractor has been appointed. The Auditor was provided with a copy of the relevant excerpts of the earthworks contract which includes a specific requirement for the earthworks contractor to ensure all nominated haulage routes are always adhered to by heavy vehicle operators, including suppliers and subcontractors, and systems must be in place to always monitor the location of the vehicle.</p> <p>Email evidence provided to the Auditor confirms the implementation of the System.</p> <p>The Planning Secretary or the EPA have not requested a copy of the real time monitoring during the Audit period.</p>	Compliant
E50	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	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. • MAR SSI-10053 Construction Traffic and Transport Management Plan, August 2023 • Load and Go Daily Load Docket, dated 10/6/25 • Load and Go Daily Load Docket, dated 16/6/25 • Load and Go Daily Load Docket, dated 20/6/25 	<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>Records for vehicles accessing the Glenfield Waste Services Facility were provided to the Auditor.</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E51	<p>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.</p>	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. • 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 – MAR Rev A dated 10/3/25 	<p>A road dilapidation report has been prepared of Moorebank Avenue. A copy of the report has been provided to LCC.</p>	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> <ol style="list-style-type: none"> a) Compensate the relevant road authority for the damage so caused; or 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 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. 	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. 	<p>No damage to local roads reported or observed during the Audit site inspection.</p>	Not triggered
E53	<p>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.</p>	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. 	<p>No safety issues relating to public roads was identified by the Audit.</p>	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> <ul style="list-style-type: none"> a) Minimise parking on public roads; b) Minimise idling and queueing on state and regional roads; c) Not carry out marshalling of construction vehicles near sensitive land user(s); d) Not block or disrupt access across pedestrian or shared user paths at any time; and e) Ensure spoil haulage vehicles are made aware of the nominated haulage routes. 	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. • Traffic Management Plan, Moorebank Avenue Realignment Works (MAR), National Intermodal Terminal Corporation Limited (NIC), BMD dated 22/11/24 • MAR Site Compound Vehicle Management Plan dated 18/3/25 • BMD Drivers Code of Conduct • MAR External – Approved VMP – 20251017 • MAR Approved VMP -20251022 	<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>	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 10/3/26 • Audit Interview 10/3/26 	<p>No impacts to pedestrian, vehicular access or parking observed during the Audit site inspection.</p> <p>Existing access (pedestrian and vehicle) and carparking arrangements to the "Piccolo Me" café located within the MIP (adjacent to the site) on Moorebank Avenue have been maintained (albeit not required under the approval) as well as access to Defence site to the north of the project.</p>	Compliant

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 10/3/26 • Audit Interview 10/3/26 • Moorebank Avenue Realignment Works (MAR) – 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 following completion of construction.</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 10/3/26 • Audit Interview 10/3/26 • 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 10/3/26 • Audit Interview 10/3/26 • 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>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>	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26 	Operational requirement – not triggered.	Not Triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<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> <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	<p>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.</p>	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. 	<p>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.</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E61	<p>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</p>	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. • Moorebank Avenue Realignment Works, Urban Design and Landscape Plan, Design Report, dated 23/5/25 • Letter from DPHI, titled Moorebank Avenue Realignment (SSI-10053) Urban Design and Landscape Plan (UDLP) with revised Appendix A Landscape Design Plans Conditions E61-E64” dated 29/10/25 	<p>An Urban Design and Landscape Plan has been prepared by an experienced Urban Design company (TRACT) and approved by DPHI.</p> <p>During the Audit period, Appendix A (Landscape Design Plans) were revised following consultation with TfNSW and ESR and related to limited changes to the retaining wall amendments, intersection curb re-alignment and southern section realignment with signoff provided by TfNSW.</p> <p>The revised UDLP with updated Appendix A was approved by DPHI on 29/10/25.</p>	Compliant
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> <ol style="list-style-type: none"> An analysis of the built, natural and community context and the urban design objectives, principles and standards for the SSI; The design of the SSI elements including their form, materials and detail, including provisions for active transport where these form part of the project; The design of the project landform and earthworks; 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; The location of existing heritage items and recorded Aboriginal objects; 	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. • 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 • Letter from DPHI, titled Moorebank Avenue Realignment (SSI-10053) Urban Design and Landscape Plan (UDLP) with revised Appendix A Landscape Design Plans Conditions E61-E64” dated 29/10/25 	<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 	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<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> <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"> • 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>During the Audit period, Appendix A (Landscape Design Plans) were revised following consultation with TfNSW and ESR and related to limited changes to the retaining wall amendments, intersection curb re-alignment and southern section realignment with signoff provided by TfNSW.</p> <p>The revised UDLP with updated Appendix A was approved by DPHI on 29/10/25.</p> <p>At the time of the Audit site inspection, permanent built works and landscaping had not commenced.</p>	
E63	<p>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.</p>	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. • Letter from DPHI to National Intermodal titled "Moorebank Avenue Realignment (SSI-10053) Urban Design and Landscape Plan, Conditions E61-E67" dated 8/1/25 • Email from National Intermodal to DPHI titled "MAR – Updated Landscape Plans" dated 29/8/25 • Letter from National Intermodal to DPHI titled "Moorebank Avenue Realignment (SSI-10053) Urban Design and Landscape Plan – Updated Landscape Plans" dated 29/8/25 	<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>During the Audit period, the UDLP was updated and resubmitted to DPHI for approval noting the following changes to the landscape plans:</p> <ul style="list-style-type: none"> • Intersection redesign • Southern realignment • Removal of a retaining wall 	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E64	The UDLP, as approved by the Planning Secretary, must be implemented	<ul style="list-style-type: none"> Site Observations 10/3/26 Audit Interview 10/3/26. 	Not triggered. Built form and landscaping works that are subject to the UDLP have not commenced at the time of the Audit.	Not triggered
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 10/3/26 Audit Interview 18/01/24 Arboriculture Report for Development, Site location, Moorebank Avenue Realignment Works (MAR), Moorebank NSW, 15/11/25 	<p>Revegetation and provision of replacement trees have 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	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.	<ul style="list-style-type: none"> Site Observations 10/3/26 Audit Interview 10/3/26 	Replacement and enhancement of vegetation screening have not commenced.	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> Moorebank Avenue Realignment Works, Urban Design and Landscape Plan, Design Report, dated 23/5/25 Moorebank Intermodal Biobank Offset Area BA 341 Annual Report Year 4, dated 15/5/25 		
E67	<p>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.</p>	<ul style="list-style-type: none"> Site Observations 10/3/26 Audit Interview 10/3/26. Moorebank Avenue Realignment Works, Urban Design and Landscape Plan, Design Report, dated 23/5/25 Urban design and landscape plan, Tract, dated 23/05/24 Letter from DPHI, titled Moorebank Avenue Realignment (SSI-10053) Urban Design and Landscape Plan (UDLP) with revised Appendix A Landscape Design Plans Conditions E61-E64" dated 29/10/25 	<p>Section 7 of the UDLP includes details of landscape design. Table 5 notes that a 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.</p> <p>During the Audit period, the UDLP was updated and resubmitted to DPHI for approval noting the following changes to the landscape plans:</p> <ul style="list-style-type: none"> Intersection redesign Southern realignment Removal of a retaining wall <p>At the time of the Audit site inspection, permanent built works and landscaping had not commenced</p>	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>	<ul style="list-style-type: none"> Site Observations 10/3/26 Audit Interview 10/3/26. 	Operational requirement – not triggered.	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	The Planning Secretary must be advised of the date of transfer of the asset(s) to the relevant authority.			
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 10/3/26 • Audit Interview 10/3/26. 	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 10/3/26 • Audit Interview 10/3/26. 	Operational Requirement – not triggered	Not triggered

WASTE

E71	<p>Waste management during construction and operation must be considered against a hierarchy of the following order:</p> <ol style="list-style-type: none"> a) Avoidance of waste generation; b) Re-use, recycle or recovery; c) Treatment or disposal 	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26 • Letter from Property Risk Australia to BMD titled "Ex Situ Waste Classification Assessment – Moorebank Avenue Realignment Works (MAR) – Zone 2, Stockpile WC012 SP01 Between Chainage 960 and 1000 and Stockpile WC012 SP02 Between Chainage 1760 and 1820" dated 7/8/25 • Environmental purchasing register, BMD, dated 30/01/26 • Environment protection licence, EPA, dated 16/04 • Daily load docket, Load and go, dated 25/11/25 	<p>A waste tracking register has been prepared which includes details of waste description, classification, volume, destination and the EPL of the waste disposal destination.</p> <p>Waste recycling bins are provided on site for cardboard and paper.</p> <p>As noted in condition C9, reuse opportunities for cleared vegetation are being taken within the project including the reuse of mulch on site and the reuse of materials for the DURS adjacent to the site. Some timber was stockpiled within the site for beneficial reuse within the DURS</p>	Compliant
-----	---	--	--	-----------

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> • Daily load docket, Load and go, dated 30/01/26 • Environment Protection licence, EPA, dated 01/03 • Various dockets, BMD • Environment protection licence, EPA, dated 18/10 • Waste clarification assessment, property risk, Australia, dated 27/01/26 • Environmental Purchasing register, BMD, dated, 08/09/25 • Waste register, bmd, dated 28/01/26 		
E72	<p>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</p>	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. • Import Material Tracker – MAR dated 5/9/25 • S143 ENM Certificate dated 28/8/25 • Virgin Excavated Natural Material (VENM) Report, CEC Geotechnical, dated 1/7/25 • Waste Classification Certificates EI Australia, dated 28/11/24 • National Intermodal, General Correspondence # GC-394 – Fourth Source of imported fill, dated 24/7/25 • National Intermodal, General Correspondence # GC-404 – Seventh Source of imported fill, dated 28/7/25 	<p>A material import tracker has been implemented which provides details of:</p> <ul style="list-style-type: none"> • The date of import • Material type and classification (where applicable) • Company importing the material • Receiving location within the site and • Quantity <p>Other evidence provided to the Auditor demonstrating compliance with this condition included:</p> <ul style="list-style-type: none"> • Section 143 certificate for the importation of 400,000 tonnes of VENM • Virgin excavated material report, providing details and results of insitu soil contaminant testing • Waste classification certificates <p>There were no treatment, storage or processing of waste observed during the audit site inspection</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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 10/3/26 • Audit Interview 10/3/26 • BMD Waste disposal register dated 10/3/26 • Load & Go, Daily Load Docket dated 13/7/25 • Load & Go, Daily Load Docket dated 16/6/25 • Load & Go, Daily Load Docket dated 20/6/25 • Letter from Property Risk Australia to BMD titled "Ex Situ Waste Classification Assessment – Moorebank Avenue Realignment Works (MAR) – Zone 2, Stockpile WC012 SP01 Between Chainage 960 and 1000 and Stockpile WC012 SP02 Between Chainage 1760 and 1820" dated 7/8/25 	A waste tracking register has been prepared which includes details of waste description, classification, volume, destination and the EPL of the waste disposal destination.	Compliant
E74	All waste must be classified in accordance with the EPA's Waste Classification Guidelines, with appropriate records and disposal docketts retained for Audit purposes.	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26 • BMD Waste disposal register dated 10/3/26 • Load & Go, Daily Load Docket dated 13/7/25 • Load & Go, Daily Load Docket dated 16/6/25 • Load & Go, Daily Load Docket dated 20/6/25 	<p>As noted above the waste tracking register includes the details of the waste classification of materials tracked from the site.</p> <p>Appropriate waste disposal records were provided to the Auditor.</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		<ul style="list-style-type: none"> Letter from Property Risk Australia to BMD titled "Ex Situ Waste Classification Assessment – Moorebank Avenue Realignment Works (MAR) – Zone 2, Stockpile WC012 SP01 Between Chainage 960 and 1000 and Stockpile WC012 SP02 Between Chainage 1760 and 1820" dated 7/8/25 		
WATER				
E75	<p>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.</p>	<ul style="list-style-type: none"> Site Observations 10/3/26 Audit Interview 10/3/26. Environment Protection Licence Number 21972 Permit to Discharge Water – Moorebank Avenue Realignment Works – 2118, BMD (various) dated 4/7/25, 4/7/25, 5/7/25, 5/7/25, 7/7/25, 7/7/25, 8/7/25, 9/7/25, Environment testing report, Eurofins, dated 03/12/25 Environment testing report, Eurofins, dated 27/02/26 Environment testing report, Eurofins, dated 03/03/26 Pollution Monitoring data, EPL 21972, BMD, dated 04/25 	<p>An Environment Protection Licence (EPL # 21972) has been obtained for the construction phase.</p> <p>Section 3 of the EPL sets limit conditions and concentration limits for the discharge of waters as follows:</p> <ul style="list-style-type: none"> No visible oil and grease Ph 6.5-8.5 Turbidity < 50 NTU PFAS < 0.13 ug/L PFOA < 220 ug/L <p>Prior to the discharge from a sediment basin, the water is tested for the above parameters as well as with a permit to discharge form completed.</p> <p>One non-compliance was reported to DPHI during the Audit period for a stockpile that had slumped into a swale drain on 24/11/25 and resulted in turbid waters being discharged from off site.</p> <p>The incident resulted in a non compliance with Condition E75.</p>	Non Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
			<p>Recommendation</p> <p>The Auditor reviewed the incident report and undertook a general inspection of the stockpiled areas during the Audit site inspection. The incident report notes a number of immediate actions taken included:</p> <ul style="list-style-type: none"> • Immediate repair of the bund an increase in size to prevent any further overtopping into the clean water swale and offsite • Repair of the bund and removal of the blockage • Undertaking a site wide check of all stockpiles (both temporary and permanent) to ensure adequate distance is maintained from concentrated flow paths. <p>The actions taken in response to the non compliance are appropriate. Focus on preparing for wet weather events and shutdown periods (easter/xmas) should further reduce the risk of recurrence.</p>	
E76	<p>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.</p>	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. • Moorebank Avenue Realignment Works (MAR) – 100% Detailed design report, Arcadis dated 28/2/25 • Progressive ESCP /Environmental Site Plan, Post Clear and Grub Phase dated 7/3/25 • Environmental Work Method Statement, Works within a waterway and alongside sensitive areas, BMD dated 14/3/25 • Active sheets, BMD, dated 28/01/25 	<p>One drainage crossing was observed to be impacted by the works (Anzac Creek) with a temporary diversion installed to maintain flows through the work site.</p> <p>Erosion and sediment controls including geofabric and mulch bunding. Tree roots had been retained on the creek embankment to prevent erosion of the embankment. There were no chemicals or fuels stored adjacent to the waterway.</p> <p>Documentation prepared by BMD to demonstrate compliance with the requirements of this condition included:</p> <ul style="list-style-type: none"> • Environmental Work Method Statement for works within a waterway and alongside sensitive areas • Progressive erosion and sediment control plans, prepared by a Certified Professional in Erosion and Sediment Control • Latest version of Progressive escp for creek crossings (VERSION 19) 	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E77	Work on waterfront land must be carried out in accordance with controlled activity guidelines	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. 	There has been no work undertaken on waterfront land to date.	Not triggered
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 10/3/26 • Audit Interview 10/3/26. • Environment Protection Licence Number 21972 • Permit to Discharge Water – Moorebank Avenue Realignment Works – 2118, BMD (various) dated 4/7/25, 4/7/25, 5/7/25, 5/7/25, 7/7/25, 7/7/25, 8/7/25, 9/7/25, 	<p>An Environment Protection Licence (EPL # 21972) has been obtained for the construction phase.</p> <p>Section 3 of the EPL sets limit conditions and concentration limits for the discharge of waters as follows:</p> <ul style="list-style-type: none"> • No visible oil and grease • Ph 6.5-8.5 • Turbidity < 50 NTU • PFAS < 0.13 ug/L • PFOA < 220 ug/L <p>Prior to the discharge from a sediment basin, the water is tested for the above parameters with a permit to discharge form completed.</p>	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
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"> a) Provide details of the discharge locations and receiving waterways; 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; 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 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. 	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. • 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>	Compliant
E80	<ul style="list-style-type: none"> a) 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: 	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. 	Operational requirement – not triggered.	Not triggered

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>b) The ANZG 2018 default guideline values for toxicants at the 95 per cent species protection level;</p> <p>c) 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>d) 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	<p>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.</p>	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. • Moorebank Avenue Realignment Works (MAR), 100% Detailed Design Report, Arcadis, dated 28/02/25 	<p>Refer Section 6 of the Detailed Design Report -</p> <p>Drainage for the Project is described in Section 6 of the 100% Detailed Design Report. The pavement drainage consists of drainage pits, pipes, gutters, and open channels that have been provided to collect and convey stormwater runoff from the road pavement. The proposed drainage pit and pipe networks discharges into Anzac Creek directly or via an existing open channel for all locations except for Intersection A. Intersection A run-off enters a proposed pit and pipe network which connects to the existing adjacent infrastructure which eventually discharges into Georges River.</p> <p>Drainage is discharged from the project via drainage culverts to receiving drainage systems at three locations:</p> <ul style="list-style-type: none"> • Via a two-cell box culvert at the north-eastern corner of the project works at approximate chainage 800 	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
			<ul style="list-style-type: none"> • Via a seven-cell box culvert at Anzac Creek, at approximate chainage 2000 • Via a two-cell box culvert located along the alignment of the disused rail spur, at approximate chainage 2070. <p>The 10% AEP post-development flow rate (0.787 m3/s) at the Anzac Creek culvert is higher than the pre-development flow rate (0.429 m3/s). However, as the Anzac Creek culvert outlet is located within 150m of the discharge outlet from the culvert located along the alignment of the disused rail spur, which comfortably achieves discharge targets for the project (10% AEP flow rate decreases from 0.633 m3/s to 0.171 m3/s) it is considered that discharge criteria is achieved on balance for the Project. These combined discharge points provide a 0.113 m3/s and 0.779 m3/s reduced post-development flow rate for the 10% and 1% AEP events, respectively.</p>	
E82	<p>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:</p> <ul style="list-style-type: none"> 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; 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 	<ul style="list-style-type: none"> • Site Observations 10/3/26 • Audit Interview 10/3/26. • Moorebank Avenue Realignment Works (MAR), 100% Detailed Design Report, Arcadis, dated 28/02/25 	<p>Permanent drainage works have not commenced construction therefore the requirements of this condition has not been triggered.</p> <p>Section 6 of the Detailed Design Report addresses stormwater drainage for the MAR</p> <p>The requirement of E82 to (a) assess, (b) mitigate and (c) implement are addressed concurrently throughout Section 6.</p> <p>Section 6 includes the following:</p> <ul style="list-style-type: none"> • A drainage strategy (Section 6.1.5), which includes the following objectives relevant to E82: <ul style="list-style-type: none"> ○ Maintain or improve safe passage for road users during storm and flood events ○ Manage or reduce risk and impact to property resulting from flooding ○ Maintain existing flow regimes 	Compliant

Part E – KEY ISSUE CONDITIONS

ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<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>		<ul style="list-style-type: none"> • A description of the existing drainage networks (Section 6.2) along the current Moorebank Ave and within the MPE development with which the MAR will interface • A summary of the flood modelling and assessment undertaken (Section 6.3) to understand and assess the potential impact of MAR on the flood characteristics near the site and the associated floodplain • A description of the cross drainage structures (Section 6.4.1) proposed as a result of TUFLOW modelling to maintain existing flow patterns and to maintain afflux within acceptable limits • A description of longitudinal drainage design (pits, pipes, gutters and channels) to capture and convey road runoff <p>A description of the stormwater basins proposed in order to attenuate runoff from the road and to ensure that post development discharge from the project is no worse than pre-development discharge from the site.</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 10/3/26 • Audit Interview 10/3/26. • Moorebank Avenue Realignment Works (MAR), 100% Detailed Design Report, dated 28/2/25 	<p>As part of the 100% Detailed Design Report new permanent drainage, modifications or connections to existing drainage works and stormwater runoff are discussed in Sections 6 and 10.</p> <ul style="list-style-type: none"> • a) The Project would not generate drainage that runs off into existing Council drainage systems as outlined in response to CoA E81. • b) Protection measures include: <ul style="list-style-type: none"> ○ Concrete headwalls with concrete or rock aprons provided at the downstream end of all culverts (upstream where necessary); ○ Extended transition apron – used where the outlet velocity is high enough to cause scour but there is a low risk of a hydraulic jump occurring; 	Compliant

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>		<ul style="list-style-type: none"> ○ TfNSW Type A dissipators – used to contain lower energy hydraulic jumps at culvert outlets; and; ○ TfNSW Type C dissipators – used to contain high energy hydraulic jumps at culvert outlets. <p>An assessment of impacts to flow rates is provided in response to CoA E81 and water quality in response to E75.</p> <ul style="list-style-type: none"> • c) The Project would not generate drainage that runs off into existing Council or Sydney Water drainage systems. <p>Where the project discharges to the receiving environment with the potential for increased flows, the mitigation measures outlined above in response to b) have been implemented.</p>	

Appendix D Consultation

[REDACTED]

[REDACTED]

[REDACTED]

Thanks for your call yesterday and for formally consulting with the Department regarding your upcoming audit of the Moorebank Avenue Realignment Works.

There are no specific issues I would like to highlight that are not already covered by the audit scope outlined in the Independent Audit Post Approval Requirements (DPIE, 2020).

In addition to the NSW EPA and Liverpool Council, please also consult with Transport for NSW.

Kind Regards,

[REDACTED]

[REDACTED]

www.dphi.nsw.gov.au



The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: [REDACTED]

[REDACTED]

Subject: Moorebank Avenue Realignment Works - Environmental Audit

[REDACTED]

As discussed, i am undertaking the Independent Environmental Audit for the Moorebank Avenue Realignment project.

The purpose of this email is to formally consult with DPHI so there are any specific issues or concerns DPHI have in relation to the project, then they may be considered by the Audit.

[REDACTED]

[REDACTED]

[REDACTED]

Thanks for your email.

Previous comments were provided by Council’s traffic section on 26 September 2025 and remain valid for this audit. In addition to this, the Moorebank Intermodal Precinct Community Consultative Committee provides a forum for any complaints or actions raised at the meeting to be addressed and resolved by the Committee. It may be therefore worthwhile to review the most recent meeting minutes to help inform any focus areas.

[REDACTED]



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

This email (including any attachments) may contain confidential and/or legally privileged information. If you are not the intended recipient please delete this email and notify us if prohibited.

From: [REDACTED]

[REDACTED]

Hope youre well.

I am undertaking the next Independent Environmental Audit for Moorebank Avenue Realignment Project.

The site inspection will be undertaken next week with the Audit report due in 8 weeks time.

As per previous Audits, can you please advise if Council have any specific issues you would like me to cover in the Audit?

[Redacted]

From: [Redacted]
Sent: Tuesday, 14 April 2026 9:12 AM
To: [Redacted]
Cc: [Redacted]
[Redacted] Re: Moorebank Avenue Realignment Works - Independent Environmental Audit

[Redacted]

TfNSW appreciates the opportunity and would like to the audit to include the following:

- Stockpile management
- ERSED controls including dewatering process and management of runoff
- Contamination handling &
- waste management

Kind regards

[Redacted]



From: [Redacted]
[Redacted]

You don't often get email from richard.peterson-trigalana@outlook.com. [Learn why this is important](#)

CAUTION: This email is sent from an external source. Do not click any links or open attachments unless you recognise the sender and know the content is safe.

[Redacted]

[Redacted]

[REDACTED]

[REDACTED]

[REDACTED]

As discussed, i am undertaking the Independent Environmental Audit for the Moorebank Avenue Realignment project.

The purpose of this email is to formally consult with DPHI so there are any specific issues or concerns DPHI have in relation to the project, then they may be considered by the Audit.

For previous Audits, i have consulted with the following organisations (and plan to do so for this Audit):

- NSW Environment Protection Authority
- Liverpool Council

Please advise if there are any other stakeholders I need to consult with.

If you could please respond to the above within the next fortnight, that would be greatly appreciated.

Many thanks



[REDACTED]

Please consider the environment before printing this e-mail

This email (including any attachments) is confidential. If you are not the intended recipient you must not copy, use, disclose, distribute or rely on the information contained in it. If you have received this email in error, please notify the sender immediately by reply email and delete the email from your system. Confidentiality and legal privilege attached to this communication are not waived or lost by reason of mistaken delivery to you. Trigalana Environmental does not guarantee that this email or the attachment(s) are unaffected by computer virus, corruption or other defects.

[REDACTED]

From:
Sent:
To:
Cc:
Subject:

[REDACTED]

[REDACTED]

As discussed, i am undertaking the Independent Environmental Audit for the Moorebank Avenue Realignment project.

The purpose of this email is to formally consult with DPHI so there are any specific issues or concerns DPHI have in relation to the project, then they may be considered by the Audit.

For previous Audits, i have consulted with the following organisations (and plan to do so for this Audit):

- NSW Environment Protection Authority
- Liverpool Council

Please advise if there are any other stakeholders I need to consult with.

If you could please respond to the above within the next fortnight, that would be greatly appreciated.

Many thanks



[REDACTED]

Please consider the environment before printing this e-mail

This email (including any attachments) is confidential. If you are not the intended recipient you must not copy, use, disclose, distribute or rely on the information contained in it. If you have received this email in error, please notify the sender immediately by reply email and delete the email from your system. Confidentiality and legal privilege attached to this communication are not waived or lost by reason of mistaken delivery to you. Trigalana Environmental does not guarantee that this email or the attachment(s) are unaffected by computer virus, corruption or other defects.

[Redacted]

From:

[Redacted]

[Redacted]

Hope youre well.

I am undertaking the next Independent Environmental Audit for Moorebank Avenue Realignment Project.

The site inspection will be undertaken next week with the Audit report due in 8 weeks time.

As per previous Audits, can you please advise if Council have any specific issues you would like me to cover in the Audit?

In this regard, a response by 22nd of March would be greatly appreciated.



[Redacted]

[Redacted] consider the environment before printing this e-mail

This email (including any attachments) is confidential. If you are not the intended recipient you must not copy, use, disclose, distribute or rely on the information contained in it. If you have received this email in error, please notify the sender immediately by reply email and delete the email from your system. Confidentiality and legal privilege attached to this communication are not waived or lost by reason of mistaken delivery to you. Trigalana Environmental does not guarantee that this email or the attachment(s) are unaffected by computer virus, corruption or other defects.

[Redacted]

[Redacted]

[Redacted]

[Redacted] provided me with your contact details.

I am in the process of undertaking an independent environmental audit for the Moorebank Avenue Realignment project. A link to my previous Audit report is provided here. [Independent-Compliance-Audit-Nov-2025.pdf](#)

The Department of Planning, Housing and Infrastructure (DPHI), have requested i consult with TfNSW regarding the Audit.

In this regard, if there any issues or focus areas TfNSW would like me to look at during the Audit, please let me know.

A response by 16th of April would be greatly appreciated.

Any questions or issues, please do not hesitate to call me.



[Redacted]

Please consider the environment before printing this e-mail

This email (including any attachments) is confidential. If you are not the intended recipient you must not copy, use, disclose, distribute or rely on the information contained in it. If you have received this email in error, please notify the sender immediately by reply email and delete the email from your system. Confidentiality and legal privilege attached to this communication are not waived or lost by reason of mistaken delivery to you. Trigalana Environmental does not guarantee that this email or the attachment(s) are unaffected by computer virus, corruption or other defects.

Appendix E Photographs



Photo 1: General Construction



Photo 2: Water cart for dust suppression



Photo 3: Mulch Material retained for reuse



Photo 4: Shaped batter and stabilised bund



Photo 5: Water treatment plant



Photo 6: Chemical storage container and spill kit



Photo 7: Geofabric lined clean water drain



Photo 8: Stabilised batter and perimeter drain



Photo 9: Polymer stabilised batter



Photo 10: Retained vegetation for DURS reuse



Photo 11: Disused Rail Spur (DURS)



Photo 12: Geofabric lined drain



Photo 13: Geofabric lined drain



Photo 14: PFAS Advisory signage



Photo 15: Vibration advisory signage



Photo 16: Sediment basin and no go advisory signage



Photo 17: banded stockpile



Photo 19: Rumble grid



Photo 20: Sealed access