Level 36, Gateway
1 Macquarie Place
Sydney, NSW 2000
ABN: 50 160 157 666

Attn: Compliance Team
Planning and Assessment
Department of Planning, Housing and Infrastructure
Locked Bag 5022
Parramatta
NSW 2124

9 October 2026

Response to Moorebank Precinct West Stage 3 (SDD10431) Independent Audit #9 (C44) and non-compliance notification (A42)

Dear [redacted]

The MPW Stage 3 independent audit number eight was undertaken in accordance with consent condition C42. The site inspection was conducted by the approved independent audit team (WolfPeak) on 1**8 February** 202**6**. The final audit report was received on **16 April** 202**6**.

WolfPeak identified two non-compliances and three observations.

Non-compliance: A45: *Within three months of:*

a) the submission of a compliance report under condition A48;
b) the submission of an incident report under condition A41;
c) the submission of an Independent Audit under condition C42;
d) the approval of any modification of the conditions of this consent; or
e) the issue of a direction of the Planning Secretary under condition A2 which requires a review,
the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.

Finding: The CEMP and Sub-plans for MPW3 are combined with MPW2 and a review was conducted and notified to the Department following submission of the fifth Independent Audit Report for MPW2 under SSD 7709. This occurred on 30/04/25.

Nevertheless, the auditees should complete a review of the Strategies, Plans and Programs in accordance with the requirements of A45.

Applicant Response: The MPW 2/3 plans were reviewed within the last 12-months; the Department was notified of this review. Following the MPW 3 SSD10431 Independent Audit #8 the plans were reviewed. It was an administrative oversight that led to the Secretary not being notified that a review of the CEMP and CEMP subplans had commenced. This oversight has been corrected. Notification of the review will be provided to the Secretary with the response to audit report.

Non-compliance: C45: *Independent Audit Reports and the applicant/proponent's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements unless otherwise agreed by the Planning Secretary.*

Finding: On 17/10/25 the auditees notified a non-compliance against C45 in relation to the lateness of the submission of Independent Audit Report No. 8 (due to a financial system error). The Audit Report and the proponent's response was subsequently submitted on 30/10/25. The Auditor is not aware of any further action or direction being raised by the Department.

This non-compliance was closed by the auditor.

Applicant Response: This non-compliance was previously notified with required timeframes specified in accordance with A42 and A43.

Observation: C7: The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans). No Logbook was available during the site audit inspection for the excavator used by Vaughan Civil.

Finding: During the audit site inspection it was observed that there was some material tracking from the RCC site (spanning CDC and MPW3) on to Bushmaster Road. The Auditor notes that the material tracking is minimal and not extending out to Moorebank Avenue. The auditor closed this observation.

This observation was closed by the auditor.

Applicant Response: This site access point entered the RCC site outside of the CDC boundary (RCC compound is in MPW3), appropriate controls were in place, and a street sweeper was in operation. This access has been subsequently closed for construction works. RCC site entry is now directly into the CDC area off Bushmaster Avenue. Site access is set up in accordance with Bluebook requirements, and a street sweeper is still utilised.

Observations: C15 and C17, the findings for C15 and C17 are identical.

- C15: *The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.*
- C17: The Applicant must ensure dust emissions generated by the development do not cause exceedances of the following criteria at private property not associated with the development:
  a) 2 g/m2/month maximum increase in deposited dust level; and
  b) 4 g/m2/month maximum deposited dust level.

Findings: Complaints regarding dust were received during the audit period and there are unstable surfaces and minor earthworks occurring at the Richard Crookes Constructions site. Dust deposition gauge (DDG) results, measured at boundary locations (rather than sensitive receivers) indicate exceedances, with one recorded between 03/11/2025 and 08/12/2025, and two further exceedances between 08/12/2025 and 16/01/2026. The works conducted on MPW3 during the audit period were minimal and the Auditor has raised this finding in the context of works being

conducted across the entire MIP site (including significant ground disturbance works that are occurring on the MAUW) and non-Project sources.

While exceedances and complaints were noted, there is no clear evidence of a failure to implement reasonable and feasible dust mitigation measures during the audit period on MPW3. Inspection records sighted indicate that controls were largely in place. Exposed and static areas were polymered. The ER and CPESC completed surveillance of site activities and made recommendations to re-apply polymer to inactive work areas in 2025. This occurred in December 2025 and appears to be effective. Water is being applied on the Richard Crookes site.

This observation was closed by the Auditor.

Applicant Response: During the audit period no major earthworks had been undertaken. Some minor earthworks were carried out by RCC in the MPW 3 area adjacent to the CDC area. Over 90% of the MPW3 area has been stabilised with either a tactile stabiliser or asphalt.

Should you have any queries, please do not hesitate to contact me on [redacted].

[redacted]

Yours sincerely,

[redacted]

Associate Director – Aspect Environmental
Daryle@aspectenvironmental.com.au