

Our ref: 12548884-DPE001

21 July 2022

Planning Secretary
Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2124

Moorebank Avenue Realignment (SSI-10053) – Nomination of Environmental Representative and alternate Environmental Representative

Dear Planning Secretary,

Pursuant to planning conditions A28, A29 and A30, National Intermodal Corporation (the Proponent) nominate the following Environmental Representative (ER) and alternate ER for Moorebank Avenue Realignment (SSI-10053):

- Maurice Pignatelli (OptimE) as the ER
- Ben Bracken (BBEnviro) as the Alternate ER

GHD can confirm that Maurice and Ben have had no previous involvement in Moorebank Avenue Realignment Project (including preparation of documents listed in Condition A1), have no conflict of interest (refer attached letters of independence) and meet the requirements for ER as set out in the *Environmental Representative Protocol* (DPIE 2018) (see attached Curriculum Vitae).

Specifically, Maurice and Ben meet the requirements of having:

- A tertiary qualification in science, environmental engineering, environmental management or equivalent
- A proven understanding and application of NSW State and Local Environmental and Planning legislation, relevant Australian Standards, NSW environmental regulatory requirements and environmental best practice
- Experience with managing environmental design requirements
- Registration or eligibility for registration as an auditor under AS/NZS ISO 19011:2019
- Excellent communication and writing skills with an ability to engage with construction personnel, negotiate, work flexible hours and have strong problem-solving skills
- Previous experience providing ER services on large road construction projects located in urban environments

We request the Planning Secretary approve the nomination of Maurice and Ben as the ERs for Moorebank Avenue Realignment (SSI-10053).

Regards



Demelza Scott

Senior Consultant – Environmental Management

0417 213 748

demelza.scott@ghd.com

Copy to: Kylie Hargreaves; Jamie Crawford; Gail Hall

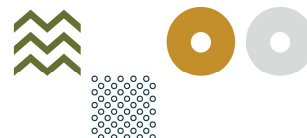
Attachments:

1. Maurice Pignatelli Curriculum Vitae
2. Ben Bracken Curriculum Vitae
3. OptimE Letter of Independence
4. BBEnviro Letter of Independence

Attachments

Attachment 1

Maurice Pignatelli Curriculum Vitae



Maurice Pignatelli

Principal Environmental Engineer



Qualifications

Bachelor of Engineering (Civil)
 Master of Engineering Science (Public Health)
 Registered Lead Environmental Auditor (Exemplar Global #110031)
 ISO14001:2015 - Transition Assessment (Exemplar Global # 2018-EGC-14001A-3791)
 Erosion and sediment control training (IECA approved)

Areas of Experience

Environmental Representative (ER)
 Independent environmental audits
 Due diligence, compliance and systems audits
 Health and safety audits
 Integrated management systems
 Sustainability and greenhouse gas assessments
 Hazardous materials audits

Career history

Maurice Pignatelli is the Director of OptimE Pty Ltd a boutique health, safety and environmental assurance consultancy (2018 to date).

Prior to establishing OptimE, Maurice held numerous roles with GHD, a global consultancy. Maurice led the technical capability of GHD for health, safety, environmental management and industrial hygiene across Australia, Asia Pacific, United Kingdom and the Middle East (1998 to 2018).

Maurice also managed the Compliance Audit Unit for the NSW EPA. He established the EPA's audit capabilities, from inception and developed the policy, protocols and formal audit procedures adopted by the EPA. He managed the state-wide audit program of over 150 compliance audits against environmental legislation (1994 to 1998).

Prior to Working with the EPA, Maurice was a practising civil engineer with Sinclair Knight Merz. He provided specialist advice and design in the areas of environmental and stormwater management and pollution control for environmental projects for coal mines, power stations, marinas and industrial sites (1987 to 1994).

Relevance to project

Maurice is a Principal environment and health and safety specialist with over 30 years' experience leading teams in sustainability and greenhouse gas assessments, environmental, health and safety and hazardous materials audits, management systems and plans. He has undertaken numerous environment assurance roles for major infrastructure projects supporting regulators, client-side surveillance and contractors including:

- statutory, compliance, system and risk audits
- development of ISO14001 certified environmental management system; and
- development of environmental management plans and compliance programs.

Maurice has extensive experience in statutory roles required by NSW Department of Planning and Environment (DPE) such as Environmental Representative and Independent Audits. He has expertise in the assessment of proponents and contractors and environmental impacts associated with



	significant infrastructure project related to natural resources, energy and linear infrastructure.
Environmental representative	<p>Environmental representative and support on a range of State Significant Infrastructure projects including:</p> <ul style="list-style-type: none"> • Warringah Freeway Upgrade – Upgrade and integration works to optimise the road corridor and improve the performance of the Sydney Harbour Tunnel, the Sydney Harbour Bridge and the Western Harbour Tunnel and links to Beaches Link and Gore Hill Freeway 2021 to current • Northern Beaches Hospital -Connectivity Project including widening and intersection up-grades, underpass and surface road arrangement of roads and construction of pedestrian bridges. Significant infrastructure project in an urbanised environment with community impacts 2015 to 2020. • M4 Widening WestConnex Delivery Authority involving the widening of a 7.5km of the M4 motorway. Significant infrastructure project in an urbanised environment with community impacts and land contamination 2015 – 2018 • Parramatta Light Rail – Stage 1 Package 2. Environmental Representative responsible for the review of pre-construction documentation for the Project 2019 • The Oakdale West Industrial Estate is an SSD creating a large scale industrial and warehousing estate in Kemps Creek Western Sydney. Construction at the 150Ha site involves large scale earthworks, the new local arterial Western North South Link Road, interface with the future Southern Link Road and a new bridge over the Water NSW pipeline (Alternate Environmental Representative) 2020 to current • Botany Bay Cable Project Ausgrid involving the laying of 132 kV cable from Bunnerong to Kurnell. Significant infrastructure project across Botany Bay and impacting National Park, protected seagrass and RAMSAR wetlands 2009 - 2013 • Oxley Hwy to Kempsey Project including Sancrox interchange, Oxley Highway to Kundebung and Kundebung to Kempsey 2014 - 2018 • Manildra Solar Farm involving 120ha, 48.5 MW, First Solar, 2017 - 2019 • City East Cable Tunnel Project and Bligh Street Sydney Demolition, Ausgrid, 2012-2018 • Ballina by-pass project BBA 2010-2012 • Liverpool Turnback Rail Project, TfNSW, 2010 - 2013 • Southern Sydney Freight Line, ARTC, 2009 - 2012
Environmental audits and assessments	<p>Environmental statutory, performance and due diligence audits including:</p> <ul style="list-style-type: none"> • TfNSW/Transurban - Northconnex - Independent Environmental Audit to DPIE requirements 2022 • Tronox Mining - Ginkgo Mineral Sands Mine - Independent Environmental Audit to DPIE requirements 2021 • TfNSW/Transurban - M2 Motorway - Independent Environmental Audit to DPIE requirements 2020 • Transurban Cross City Tunnel – Independent Audit to DPIE requirements 2006, 2012, 2019 • RTA/RMS/ TfNSW - Environmental audit Panel. Audits of over 200 contractors across NSW. Environmental assessment of contractor's performance against statutory requirements and RMS specifications for a broad range of projects major projects such as the Pacific Highway Duplication, urban and rural road upgrades, and Single Invitation Maintenance Contracts with Regional Councils. 2003 to-date.

	<ul style="list-style-type: none"> • Snowy 2.0 Early Works - Independent Environmental Audit to DPIE requirements 2020 • Snowy Hydro Limited - Colongra Power Station - Independent Audit to DPIE requirements 2013, 2016 and 2019 • Cleanaway Resource Co - Waste and Resource Recycling Facility - Independent Audit 2019 to DPIE requirements • Sydney Water - Dry Weather Sewer Overflow audit for EPA 2019 • Grain Corp Port Kembla, Fumigation Audit - Independent environmental audit to EPA requirements 2018 and 2020 • Shoalhaven Starches, Bomaderry - Independent compliance audit to DPIE requirements 2018 • Tomingley Gold Operations - Independent environmental audit to DPIE requirements • Moolaben Coal (EPBC) - Independent environmental audit to SEWPAC requirements • South Coast Concrete Crushing and Recycling quarry, Nowra - Independent environmental audit to DPIE requirements • Roads and Maritime Services, Hunter Expressway, Independent environmental and impact audit
Environmental management systems	<p>Development review and audit of environmental management systems including:</p> <ul style="list-style-type: none"> • System audit to ISO14001:2015, Central Coast City Council 2018 to 2021 • System audit to ISO14001:2015, Powerco, New Zealand, 2019 • System development, ISO14001 certification, Caltex Kurnell Refinery, 2018 • System development, Department of Defence for Holsworthy Cantonment, Holsworthy Training Area, and Orchard Hills • System development, Fortescue Metals Group, WA • System development, Shellharbour City Council • System review for City of Sydney, ElectraNet, Delta Electricity and National Archives of Australia
Environmental management plans	<ul style="list-style-type: none"> • Roads Maintenance Construction Contracts (RMCC) prequalification Quality, Safety and Environmental audits for regional councils in south-western NSW 2021 • Development of CEMP for Cootamundra-Gundagai Regional Councils and Hilltops Regional Councils for RMCC prequalification 2021 • M4-M5 Link - Early Works Utilities Management Strategy Management Strategy and Noise and Vibration Management Plan, RMS 2018 • Construction Environmental Management Framework for Western Sydney Airport Authority 2018 • Operational Environmental Management Plan (OEMP), Allied Mills, Picton 2019 • Annual Environmental Management Reports, Allied Mills, Picton 2015 to 2021 • Environmental Management Plan, Department of Defence Rotary Wing Training Operations 2017 • CEMP and OEMP for Port Botany Terminal, Patricks 2016 • Rehabilitation and Monitoring Plans for QLD Gas Company 2016 • Decommissioning Mgt sub-plan, Narrabri Gas Project, Santos 2016

Attachment 2

Ben Bracken Curriculum Vitae



Ben Bracken BSc. Environmental Management

Qualifications/Accreditations

- Bachelor of Science, 1997 (Sydney University)
- Exemplar Global Environmental Auditor Training, (Certificate Number 6787670-4849294) 2020
- NSW State Government Approved Alternative EMR, and Erosion and Sedimentation Control training

Key technical skills

- Environmental management plans and documentation
- Environmental auditing
- Site environmental management implementation

Relevant experience summary

Ben is the Company Director of BBEnviro Pty Ltd and is an environmental professional with a combined 18 years' experience in environmental management and environmental auditing. Ben has a depth of experience in the preparation and implementation of environmental management plans and documentation on both large and small-scale infrastructure projects and is currently the nominated DPIE approved Environmental Representative (ER) for a Sydney Water wastewater project and is also the Alternate ER for the Warringah Freeway Upgrade Project.

Ben has completed Exemplar Global environmental auditor training and is included on the TfNSW panel for environmental auditing, with numerous project audit experience under this panel. In addition, His extensive site and audit experience have involved development and review of environmental management plans against conditions of approval as well as auditing the implementation of environmental controls on site for construction projects and operational facilities.

Relevant Projects

West Dapto Water Infrastructure (Package 2) Project

Role: Environmental Representative

Client: Sydney Water

Location: West Dapto, NSW

Date(s): Jan 2021 - Present

DPIE approved Environmental Representative for a wastewater upgrade project associated with the Sheaffes / Wongawilli Precinct, West Dapto. The project involves the construction of a gravity wastewater trunkmain over approximately 2km located in the suburb of Huntley, to the immediate north of Robins Creek. The works are to be constructed in accordance with the Minister's Conditions of Approval MP090189 (the Approval). The works to date have required review and approval of contractor environmental management documentation, including revisions and updates, in addition to routine site inspections, weekly and monthly reporting and regulatory correspondence.

Warringah Freeway Upgrade Project

Role: Alternate Environmental Representative

Client: TfNSW

Location: Warringah, NSW

Date(s): Jan 2021 - Present

Alternate Environmental Representative for the Warringah Freeway Upgrade Project, comprising upgrade and integration works along the existing Warringah Freeway, including infrastructure required for connections to the Beaches Link and Gore Hill Freeway Connection project and upgrade of the Warringah Freeway to integrate the new motorway infrastructure with the existing road network. The project commenced early 2021 and has required to date review of contractor environmental management plans and routine site inspections to support the Lead ER as required.



North Strathfield Rail Underpass Project

Role: Alternate Environmental Representative
Client: TfNSW
Location: North Strathfield, NSW
Date(s): 2013 - 2015

Appointed as alternative ER for the North Strathfield Rail Underpass Project for the construction works associated with a new rail underpass for freight trains at North Strathfield and subsequent infrastructure / railway station upgrades. In this role, Ben was responsible for the provision of support to the Lead ER for both site inspections / reporting and for the review of environmental management documentation as required.

Sydney Monorail Demolition Project

Role: Alternate Environmental Representative
Client: TfNSW
Location: Sydney CBD, NSW
Date(s): 2013 - 2014

Appointed alternative ER for the Sydney Monorail Demolition Project. Ben was responsible for the support of the Lead ER including the review of and undertaking of site inspections and reporting, in addition to the review of contractor environmental management documentation. In this role, Ben was required to stay abreast of key issues and regulatory compliance status of the project to enable effective ER cover as required.

Port Kembla Gas Terminal Project

Role: Technical Advisor – Environmental Management
Client: Australian Industrial Energy
Location: Port Kembla, NSW
Date(s): Jan 2021 - Present

Environment Management Advisor engaged to support the project inception and construction phases. The Project involves the development of a liquefied natural gas (LNG) import terminal at Port Kembla, south of Wollongong, NSW and includes extensive land-based civil works and marine based dredging. Ben has been responsible for the oversight of contractor start-up and review of relevant management plans and procedures.

Western Sydney Airport – Rail Technical Services Provider

Role: Environmental Lead
Client: WSA Co
Location: Liverpool, NSW (Project Office)
Date(s): July 2021 - Present

Responsible for the delivery of environmental management documentation associated with the interface of the Sydney Metro and Western Sydney Airport Projects, including primarily the coordination and preparation of the Cumulative Impacts Plan (CIP) and review of relevant environmental management plans from both parties. The role involves working closely with the WSA Co client as well the coordination and participation in numerous collaborative workshops and information sessions.

NorthConnex Project - Operational Phase

Role: Environmental Auditor
Client: Tollaustr Pty Ltd
Location: Sydney, NSW
Date(s): Jan 2021 – Feb 2022

Environmental auditor responsible for the undertaking of an independent environmental audit for the Operational Phase of the Project, in accordance with the requirements so the Minister's Conditions of Approval.

M6 Stage 1 Project

Role: Environmental Auditor
Client: TfNSW
Location: Project Office, Mascot, NSW
Date(s): Jan 2022 – Feb 2022

Environmental audit following the initial six-months of construction, inclusive of input from the Independent Certifier. Environment audit scope included compliance of the construction contractor (CPB, UGL and Ghella JV) against the TfNSW environmental specifications, relevant / targeted Minister's Conditions of Approval and Project Deed requirements. In addition, the audit also included review of the implementation of the Construction Environmental Management Plan and associated sub-plans.

SMWSA Enabling Works Eastern Creek Roadworks

Role: Environmental Auditor
Client: TfNSW
Location: Eastern Creek, NSW
Date(s): Dec 2021

Responsible for the undertaking of an environmental audit of the construction phase of the Sydney Metro Western Sydney Airport Enabling Works project, (construction contractor Abergeldie Contractors) consisting of approximately 500 m of roadway construction, tie-in to the existing road network, and construction of ancillary road infrastructure for a proposed concrete pipeline construction yard to support the construction of Western Sydney Airport. The audit scope included assessment of contractor compliance against the TfNSW environmental specifications and the implementation of the environmental management plans.

Nowra Bridge Replacement Project

Role: Environmental auditor
Client: TfNSW
Location: Nowra, NSW
Date(s): Aug 2021

Auditor and author for the environmental component of an independent audit carried out on the Nowra Bridge Replacement Project being undertaken by Fulton Hogan. The audit scope included review of compliance against the relevant TfNSW environmental specifications and general compliance with the implementation of the CEMP and associated sub-plans.



M2 Motorway Project – Operational Phase Performance Audit

Role: Environmental Auditor
Client: Transurban Ltd
Location: Sydney, NSW
Date(s): Sept - Dec 2020

M2 Operational Performance Audit for the M2 Motorway Project, as required under the DPIE Conditions of Approval. The audit scope included targeted Minister's Conditions of Approval at the request of the Department of Planning, Industry and Environment, following up on several key identified components of the project in response to the findings of a previous audit.

Transurban Cross City Tunnel – Environmental Impact Audit

Role: Environmental Auditor
Client: Transurban Ltd
Location: Sydney, NSW
Date(s): 2019

Environmental auditor responsible for the assessment of compliance of key impact predictions made in the EIS and SEIS, Representations Report and supplementary studies, including a focus on the key environmental issues including tunnel traffic flows, noise, air quality, water quality, operational safety and waste. In addition, the audit process was required to report on the outcomes of a review of the suitability of implemented mitigation measures and safeguards and assessment of compliance with the OEMP.

Nauru Sustainable and Climate Resilient Connectivity Project

Role: Environment Auditor
Client: Port Authority of Nauru
Location: Republic of Nauru
Date(s): 2019 – Present

Current engagement for the role of environmental independent technical auditor for the upgrade of the port located in Nauru. The role involves the undertaking of periodic technical audits during both the construction phase of the project and later, during the 12-month defects notification period. The environmental component of the audits focus on the assessment of compliance of the project Supervision Consultant against their requirements under the relevant contract documentation. The project includes maritime and onshore construction works, inclusive of marine piling, dredging and excavation.

Western Sydney Airport

Role: Environmental Technical Advisor
Client: WSA Co
Location: Liverpool, NSW (Project Office)
Date(s): 01 2018 – 12 2018

Appointed as the WSA Co technical advisor for environmental management during the initial project establishment and start-up phase of the Western

Sydney Airport. The role required the preparation of the project level Construction Environmental Management Plans including the preparation of nine draft sub-plans for the management of key environmental aspects. In addition, the role involved the review and evaluation of tender submissions for key stages / components of the early stages of project establishment with regards to environmental management.

M12 Motorway Detailed Design – Central Package Geotechnical Investigation

Role: Environment Manager
Client: TfNSW
Location: Cecil Hills, NSW
Date(s): 2020

Environment Manager for the geotechnical investigation undertaken to inform the detailed design of the M12 Motorway Central Package. The role required the ongoing liaisons with TfNSW and the wider project team, including the assessment and approval for each of the geotechnical investigation locations. Key environmental constraints to be managed included Aboriginal heritage impacts, erosion and sedimentation control and sensitive landowners.

Snowy 2.0 Geotechnical Investigation

Role: GHD Environment Manager
Client: Snowy Hydro and Future Generation JV
Location: Mt Kosciuszko National Park
Date(s): 2017 – Present

GHD Environment Manager for the geotechnical investigation campaign for the Snowy 2.0 Project, required for detailed design development. The geotechnical investigation required the completion of over 30 deep boreholes located within sensitive terrestrial and aquatic environments of the Kosciuszko National Park. In this role, Ben was responsible for the development and implementation of the environmental management plan and system.

Prospect South to Macarthur Distribution System – detailed design

Role: Environmental Consultant
Client: Sydney Water
Location: NSW
Date(s): Dec 2019 – Dec 2020

Environment consultant for the detailed design delivery of the project, specifically addressing the environmental requirements of the 35 km geotechnical investigation. The role required ongoing liaisons with Sydney Water and the wider project team, including the assessment and approval for each of the geotechnical investigation locations, approximately 150 in total. Key environmental constraints to be managed included Aboriginal heritage impacts, noise management, and erosion and sedimentation control.



Attachment 3

OptimE Letter of Independence



20 July 2022

GHD Pty Ltd
Project Manager - MARW

Attention: Ian Teda

Approval SSI 10053 - Moorebank Ave Realignment Works, Independence of the nominated Environmental Representative

Dear Ian

Pursuant to Condition A28 of Approval, I understand that I, Maurice Pignatelli, will be nominated by National Intermodal Corporation (the Proponent) as the Environmental Representative for the Moorebank Ave Realignment Works (the Project).

I understand that the Environmental Representative must be independent of the construction and design team for the Project and those involved in delivery of it, including associated design, construction and delivery organisations and I hereby declare that:

- I am not related to any proponent, owner, operator or other entity involved in the delivery of the Project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside of Environmental Representative services, or that of a spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the Project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing environmental representative services) or loss as an Environmental Representative, or their spouse, partner, sibling, parent, or child;
- Are not intending to join, nor are in negotiations with a view to joining, the construction and design team for the project, or those involved in its delivery; and
- I will not accept any inducement, commission, gift or any other benefit from Project organisations, their employees or any interested party, or knowingly allow colleagues to do so.

I have been a member of the Exemplar Global Incorporated (formally RABQSA International) since May 1999. As such, I am bound by and operate under the Code of Ethics and expectations of professional conduct associated with this organisation. I will also ensure that I will exercise my own independent professional judgement in fulfilling the Environmental Representative Role and will carry out the role in an objective and professional manner at all times.



To the best of my knowledge and belief, there are no facts or circumstances, past or present, or that could arise in the foreseeable future, that need to be disclosed as they might be of such a nature as to call in to question my independence.



Maurice Pignatelli

Nominated ER for the Moorebank Ave Realignment Works

Director

OptimE Pty Ltd

Email: maurice@optimenv.com.au

Tel: 0407 493 176



Attachment 4

BBEEnviro Letter of Independence

21 July 2022



Ian Teda
Technical Director
GHD Pty Ltd
Level 15, 133 Castlereagh St
SYDNEY NSW 2000

By Email: Ian.Teda@ghd.com

Subject: Environmental Representative Role for the Moorebank Avenue Realignment (SSI-10053)
Declaration of ER Independence

It is understood that National Intermodal Corporation Limited (the Proponent) is proposing to nominate myself as an Environmental Representative (ER) for the Moorebank Avenue Realignment Project (SSI-10053).

As a sub-consultant to OptimE Pty Ltd for this engagement, I declare that I have not been involved in any capacity, and remain independent to personnel who have been involved, in the preparation of the Environmental Impact Statement, Response to Submissions and the construction, design and delivery of the Project.

If you need anything further, please do not hesitate to contact as per contact details below.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Ben Bracken", written over a light blue circular stamp.

Ben Bracken
Nominated ER for the Moorebank Avenue Realignment Project
Company Director
BBEnviro Pty Ltd

Phone: 0410 409 897
Email: ben.bracken@bbenviro.com.au