

23 August 2023

Attn: Planning Secretary
Department of Planning and Environment
4 Parramatta Square,
12 Darcy St
Parramatta NSW 2150

The Planning Secretary,

RE: Downer EDI Works Pty Ltd ("Downer") SSD 10459 – Independent Audit completion (C16) and Review of Independent Audit (C17)

Downer operates under SSD10459 for the project titled 'Central Sydney Industrial Estate and Downer Sustainable Road Resource Centre', located at 9 Devon Street, Rosehill, NSW, 2142.

As part of this approval and in accordance with condition C16, Downer engaged an independent 3rd party to undertake an Independent Environmental Audit of the development. This audit has now been completed in accordance with this condition and has been provided in **Attachment 1**.

As outlined within the audit report provided in *Attachment 1*, three non-compliances were identified during the audit. It is noted that the non-compliances identified during the audit do not pose immediate risk to the environment and are generally administrative in nature.

In accordance with condition C17 of SSD 10459, Downer provides response to the identified non-compliances, recommendations, and opportunities for improvement identified in the final Independent Environmental Audit report, and a proposed timeframe for implementation where relevant. Refer to **Attachment 2**.

Please do not hesitate to contact the undersigned, or Dale Thomas (Environment and Sustainability Manager 0447 479 621) should you wish to discuss further.

Kind regards,

Paul Sherry

Paul Sherry

Manager Production

ATTACHMENT 1:

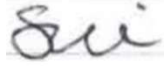
Independent Environmental Audit Report (WolfPeak Pty Ltd 2023)

INDEPENDENT AUDIT NO. 1 – AUDIT REPORT

**DOWNER SUSTAINABLE ROAD RESOURCE CENTRE –
SSD 10459**

15 AUGUST 2023

Authorisation

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Report Name: Independent Audit No. 1 – Audit Report, Downer Sustainable Road Resource Centre – SSD 10459

Project No.: 901

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ABBREVIATIONS / GLOSSARY

Abbreviation/Term	Description
CEMP	Construction Environment Management Plan
CoC	Condition of Consent
CSIE	Central Sydney Industrial Estate
DPE or Department	Department of Planning and the Environment
DSRRC	Downer Sustainable Road Resource Centre
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPL	Environment Protection Licence issued under the POEO Act
IA	Independent Audit
IAPAR	Independent Audit Post Approval Requirements
LTEMP	Long Term Environmental Management Plan
OEMP	Operational Environmental Management Plan
the Project	The Development approved under SSD 10459
POEO	<i>Protection of the Environment Operations 1997</i>
RAP	Reclaimed Asphalt Pavement
RtS	Response to Submissions
SSD	State Significant Development

EXECUTIVE SUMMARY

State significant development (SSD) 10459 provides for the development of a 35ha industrial subdivision over three stages (Stages 1, 2 and 3) known as the Central Sydney Industrial Estate (CSIE) on the site of the former Shell Clyde Refinery, and the construction and operation of a combined Downer Sustainable Road Resource Centre (DSRRC) in the Stage 1 area of the CSIE (the Development or the Project). The Development is located at 9 Devon Street, Rosehill (the site), in the Parramatta local government area (LGA).

The consent for SSD-10459 was granted by the delegate of the Minister for Planning and Public Spaces on the 31 January 2021. SSC-10459 was modified on the 19 November 2021 by the Department of Planning and Environment (the Department) to amend the approved stormwater management system for Proposed Lots 51-55 (Mod-1) (noting that Mod-1 does not relate to the DSRRC (on Lot 6)).

Subdivision works and activities under SSD-10459 comprising the staged industrial subdivision to create the CSIE are undertaken by VE Property Pty Ltd (the Applicant for SSD-10459) and are not the subject of this audit. The DSRRC, constructed and operated by Downer in the newly created Lot 6 DP1271928 in the Stage 1 area of CSIE, is the subject of this audit. The DSRRC was operational at the time of the audit, therefore the audit covers the operational phase of the DSRRC and those construction elements of the DSRRC that could be assessed on a desktop review.

Conditions of Consent (CoC) C16 – C17 of Schedule 2 of SSD-10459 set out the requirements for undertaking Independent Audits of the Development. The objective of this Independent Audit is to satisfy SSD-10459 Schedule 2, CoC C16, which states:

Within one year of the commencement of operations of the DSRRC, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:

- (a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020)*
- (b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and*
- (c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary).*

This Audit Report presents the findings from the first Independent Audit under CoC C16 covering the first 14 months of operations of the DSRRC, from 12 May 2022 to 20 July 2023 (the audit period). The Independent Audit was completed to fulfill the requirements of CoC C16 and to verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project.

The DSRRC, as approved under SSD-10459, includes the construction and operation of an Asphalt Plant, a Reclaimed Asphalt Pavement (RAP) Facility, a Bitumen Products Facility and a Reconomy Facility as part of the DSRRC. The DSRRC site has been in operation with the Asphalt

Plant and the Reconomy Facility since 11 May 2022 when the EPA issued Downer with an Environment Protection Licence (EPL) (21611) for those facilities. On the 30 June 2022 an EPL variation was issued which allowed Downer to commence operations of the RAP facility on the 30 June 2022. The Bitumen Products Facility approved under SSD-10459 has not been constructed and is not scheduled to be constructed at this point in time.

The overall outcome of the Independent Audit was positive. Compliance records were organised and available at the time of the site inspection and interviews with Downer project personnel. Relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance to statutory requirements and the DSRRC environmental requirements. The audit findings were of an administrative nature. In summary:

- There were 111 CoCs assessed.
- Three (3) non-compliances were identified. These relate to notification of non-compliances to the Department, timing of first independent audit and project website content.
- 76 CoCs were considered by the Auditor to be compliant.
- 32 CoCs were considered by the Auditor to be not triggered.
- Five (5) observations were identified. These relate to the content of the site induction, notification to the Department of Bitumen Products Facility (BPF) not being constructed, updating monitoring reports once the BPF is operational (2) and submission of updated OEMP to the Department.

Detailed findings are presented in Section 3 and Appendix A, along with the adequacy of management plans and the actions recommended by the auditor to address the audit findings.

The Auditor would like to thank the auditees from Downer for their high level of organisation, cooperation and assistance during the Independent Audit.

1. INTRODUCTION

1.1 Project overview

State significant development (SSD) 10459 provides for the development of a 35ha industrial subdivision over three stages (Stages 1, 2 and 3) known as the Central Sydney Industrial Estate (CSIE) on the site of the former Shell Clyde Refinery, and the construction and operation of a combined Downer Sustainable Road Resource Centre (DSRRC) in the Stage 1 area of the CSIE (the Development or the Project). The Development is located at 9 Devon Street, Rosehill (the site), in the Parramatta local government area (LGA) (refer to **Figure 1** for regional location and **Figure 2** for locality location of CSIE and DSRRC).



Figure 1: Regional Context (Source: DPIE, Nov 2021 SSD-10459-Mod-1 Assessment Report)

The consent for SSD-10459 was granted by the delegate of the Minister for Planning and Public Spaces on the 31 January 2021. SSD-10459 was modified on the 19 November 2021 by the Department of Planning and Environment (DPE or the Department) to amend the approved stormwater management system for Proposed Lots 51-55 (Mod-1). Mod-1 related only to the western CSIE portion of the development and not the DSRRC which has a stormwater drainage system that is independent of the remainder of the CSIE.

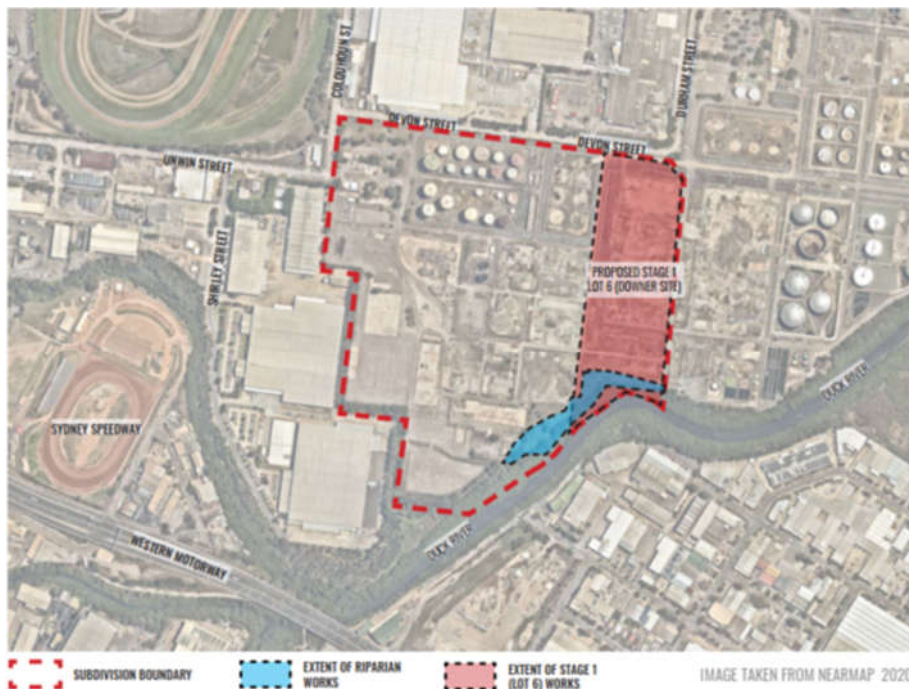


Figure 2: CSIE subdivision site and DSRRC in Lot 6 (Source: Element Environment, Nov 2020, Response to Submissions Report)

The DSRRC has been developed and is managed by Downer Group (Downer) under SSD-10459 and includes the construction and operation of an Asphalt Plant, a Reclaimed Asphalt Pavement (RAP) Facility, a Bitumen Products Facility and a Reconomy Facility (**Figure 3** shows the DSRRC site layout). These facilities are described below.

Asphalt Plant

The Asphalt Plant involves a fixed Ammann Universal HRT Stationary asphalt plant, which has approval to produce up to 550,000 tonnes per annum (tpa) of asphalt. The maximum height of fixed equipment is 41 m. The Asphalt Plant includes a range of infrastructure facilities such as bins to receive raw materials, conveyors, mixer, hoppers, storage silos and fan and stack for exhausting the gases from the baghouse. Incoming bitumen, lime and diesel are delivered by heavy-rigid and B-double tankers and aggregate is delivered by truck and dog and B-double. Asphalt product is transported to worksites by medium-rigid and semi-trailer. There is no mobile plant at the asphalt plant.

Reclaimed Asphalt Pavement (RAP) Facility

The consent provides for up to 250,000 tpa of RAP to be cold planed from pavements with specialist equipment and transported in tip trucks to the site. It is then stored in the dedicated RAP stockpile areas within the DSRRC site.

The RAP is granulated and screened on an as required basis for use in the production of asphalt (as a substitute for aggregates and bitumen) or for pavement materials. The RAP plant is inside an approximately 12m high shed that is enclosed on the north, west and south sides. The east side is open in parts so the front-end loader can feed the RAP plant and remove the finished products.

Up to 90,000 tpa of RAP will be stored on site at any one time. Stockpiles will be a maximum 10 m high.

Bitumen Products Facility

A next generation, co-located emulsion plant is proposed on Lot 6, which will manufacture approximately 15,000 tpa using a purpose-built plant and will involve careful formulation of the products to produce chemically stable and well performing materials. Construction of this facility has not commenced.

Reconomy Facility

Reconomy uses a customised material screening and processing plant and water treatment to recover materials, which are used in the manufacture of asphalt and other road products. The facility is approved to process up to 40,000 tpa of the following waste streams:

- Street sweeper/stormwater pit waste.
- Non-destructive digging mud.
- Material Recovery facility glass fines.

Material is separated during the recovery process and temporarily stockpiled adjacent to the recovery plant at the separation points and removed as required. Recovered aggregates and sand is beneficially reused in the adjacent asphalt plant and requires temporary storage bays as a collection point prior to transport to the asphalt plant.

The Reconomy Facility includes fixed plant (shed, conveyors, hoppers, etc) and mobile equipment including an excavator shared with the RAP facility and one front-end loader.

DSSRRC Operational Status

The DSRRC site has been in operation with the Asphalt Plant and the Reconomy Facility since 12 May 2022, noting that the EPA issued Downer with an Environment Protection Licence (EPL) (21611) for those facilities on the 11 May 2022. On the 30 June 2022 an EPL variation was issued by the EPA which allowed Downer to commence operations of the RAP facility on the 30 June 2022.

The Bitumen Products Facility approved under SSD-10459 has not been constructed and is not scheduled to be constructed at this point of time.



Figure 3: DSRRC Site Plan (Source: Element Environment, September 2020, EIS for SSD-10459)

1.2 Approval requirements

Conditions of Consent (CoC) C16 – C17 of Schedule 2 of SSD 10459 set out the requirements for undertaking Independent Audits. CoC C16(a) requires the audit to be prepared in accordance with the Department's document entitled *Independent Audit Post Approval Requirements* dated May 2020 (IAPAR).

1.3 The audit team

In accordance with CoC 16(b) and Section 3.1 of the IAPAR, Independent Auditors must be suitably qualified, experienced, and independent of the Project, and appointed by the Planning Secretary.

The Auditor who undertook this audit and was approved by the Department is:

- Ricardo Prieto-Curiel (Auditor Lead): Master of Environmental Toxicology, Registered Environmental Assessment Practitioner, Exemplar Global Certified Principal Environmental Auditor (Certificate No. 15160)

Approval of the Audit Team was provided by the Department on 25 June 2023. The letter is presented in Appendix C.

1.4 The audit objectives

The objective of this Independent Audit is to satisfy SSD-10459 Schedule 2, CoC C16, which states:

Within one year of the commencement of operations of the DSRRC, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:

- (a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020)*
- (b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and*
- (c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary).*

The Department's (2020) IAPAR sets out the scope, methodology and reporting requirements for Independent Audit.

This Independent Audit seeks to fulfill the requirements of CoC C16 and the IAPAR, verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the DSRRC.

1.5 Audit scope

Subdivision works and activities under SSD-10459 comprising the staged industrial subdivision to create the CSIE are undertaken by VE Property Pty Ltd (the Applicant for SSD-10459) and are not

the subject of this audit. The DSRRC, constructed and operated by Downer in the newly created Lot 6 DP1271928 in the Stage 1 area of CSIE, is the subject of this audit. The DSRRC was operational at the time of the audit, therefore the audit covers the operational phase of the DSRRC (noting that CoC C16 requires the first audit within one year of the commencement of operations of the DSRRC) and those construction elements of the DSRRC that could be assessed by a desktop review.

This Independent Audit relates to the first 14 months of operations of the DSRRC from commencement of operations on the 12 May 2022 to the 20 July 2023 (the audit period).

The scope of the Independent Audit comprises:

- an assessment of compliance with:
 - all conditions of consent applicable to the phase of the development that is being audited
 - all post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans; and
 - all environmental licences and approvals applicable to the development excluding environment protection licences issued under the *Protection of the Environment Operations Act 1997*.
- a review of the environmental performance of the development, including but not necessarily limited to, an assessment of:
 - actual impacts compared to predicted impacts documented in the environmental impact assessment
 - the physical extent of the development in comparison with the approved boundary
 - incidents, non-compliances and complaints that occurred or were made during the audit period
 - the performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit; and
 - feedback received from the Department, and other agencies and stakeholders, including the community or Community Consultative Committee, on the environmental performance of the project during the audit period
- a review of the status of implementation of previous Independent Audit findings, recommendations and actions (if any)
- a high-level review of the project's environmental management systems
- a high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and

- any other matters considered relevant by the auditor or the Department, taking into account relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.

2. AUDIT METHODOLOGY

2.1 Audit process

The Independent Audit was conducted in a manner consistent with AS/NZS ISO 19011.2019 – Guidelines for Auditing Management Systems and the methodology set out in the Department's IAPAR.

2.2 Audit process detail

2.2.1 Audit initiation, Scope Development and Consultation

Prior to the commencement of the audit the following tasks were completed:

- Establish initial contact with the Auditee.
- Confirm the audit team.
- Confirm the audit purpose, scope and criteria.

On 7 July 2023 WolfPeak consulted with the Department to obtain their input into the scope of the Independent Audit and any additional consultation that may be required in accordance with Section 3.2 of the IAPAR. The Department had no comment on the proposed scope that is not captured by the Consent, including Schedule 2 Condition C16 and the Department's Independent Audit Post Approval Requirements (May 2020). The Department requested consultation with the City of Parramatta Council. On the 7 and 13 July 2023 WolfPeak consulted with the City of Parramatta Council. The City of Parramatta Council responded that it has no further comment beyond that raised by the Department. The consultation records are presented in Appendix D.

A summary of the consultation responses and areas of focus raised by the stakeholders is presented in Table 1.

Table 1: Key issues and areas of focus raised during consultation

Stakeholder	Issues and Focus	How Addressed
Department of Planning, Industry and Environment	No comment on the proposed scope that is not captured by the Consent, including Schedule 2 Condition C16 and the Department's Independent Audit Post Approval Requirements (May 2020). Requested to consult with the City of Parramatta Council.	These matters have been included in the Independent Audit. Refer Section 3.6 and Appendix A.
City of Parramatta Council	Council has no further comment for this matter beyond that raised by Department of Planning and Environment	-

2.2.2 Preparing audit activities

The Auditor performed a document review, prepared an audit plan, and prepared work documents (audit checklists) and distributed to the Project team in preparation for the Independent Audit.

2.2.3 Site personnel involvement

The on-site audit activities took place on 20 July 2023. The following personnel took part in the audit:

- Colin Biggs, Environmental and Sustainability Advisor, Downer Group
- Paul Sherry, Production Manager, Downer Group
- Matthew Wade, Reconomy Operations Manager, Downer Group
- Gordon Mclisky, Assistant Production Manager, Downer Group
- Bulen Cesurcan, Technical / Lab Manager, Downer Group
- Dale Thomas, Environment and Sustainability Manager, Downer Group

2.2.4 Meetings

Opening and closing meetings were held with the Auditor and Project personnel on the 20 July 2023. The attendance sheet can be found in Appendix D.

During the opening meeting the following key items were discussed:

- the objectives and scope of the Independent Audit,
- the resources required and methodology to be applied,
- overview of the project and status of site activities, and
- audit timeframes and expectations.

At the closing meeting, preliminary audit findings were presented, preliminary recommendations (as appropriate) were made, and any post-audit actions were confirmed.

2.2.5 Interviews

The Auditor conducted face to face interviews during the site inspection on the 20 July 2023 with key personnel involved in Project delivery, including those with responsibility for environmental management, to assist with verifying the compliance status of the development. All other communication was conducted remotely, which included detailed request for information and auditee responses to the request. The names of personnel interviewed during the audit are provided in Section 2.2.3.

2.2.6 Site inspection

The on-site audit activities took place on 20 July 2023. The on-site audit activities included an inspection of the site and work activities to verify implementation of mitigation measures from the Operational Environmental Management Plan and sub-plans relevant to the operational activities taking place at the time of the inspection. Photos are presented in Appendix E.

2.2.7 Document review

The Independent Audit included investigation and review of Project files, records and documentation that acts as evidence of compliance (or otherwise) with a compliance requirement. The primary documents reviewed are listed in Section 3.1. All documents reviewed and sighted during the audit are included within Appendix A.

2.2.8 Generating audit findings

Independent Audit findings were based on verifiable evidence. The evidence included:

- relevant records, documents and reports
- interviews of relevant site personnel
- photographs
- figures and plans; and
- site inspections of relevant locations, activities and processes.

Section 3 and Appendix A present the general audit findings and Section 4 presents the summary of findings and audit conclusions.

2.2.9 Compliance evaluation

The Auditor determined the compliance status of each compliance requirement using the descriptors from Table 2 of the IAPAR. These are replicated in Table 2 below.

Table 2: Compliance status descriptors from Table 2 of the IAPAR

Status	Description
Compliant	The Auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Compliant	WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance with this condition and has marked this requirement as compliant on the basis of their assessment or advice.
Non-compliant	The Auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not Triggered	A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

Observations and notes may also be made to provide context, identify opportunities for improvement or highlight positive initiatives.

2.2.10 Evaluation of post approval documentation

The Auditor assessed whether post approval documents:

- have been developed in accordance with the CoCs and all other environmental licences and approvals applicable to the Project (if any) and their content is adequate.
- have been implemented in accordance with the CoCs and all other environmental licences and approvals applicable to the Project (if any).

The adequacy of post approval documents was determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document.
- whether there are any opportunities for improvement.

2.2.11 Completing the audit

The Independent Audit Report was distributed to Downer to check factual matters and for input into actions in response to findings (where relevant). The Auditor retained the right to make findings or recommendations based on the facts presented. The Auditor's findings have been determined independent of the auditees, the Department and any other parties, based on the evidence assessed during the audit.

3. AUDIT FINDINGS

3.1 Approvals and documents audited and evidence sighted

The documents audited comprised all the conditions from Schedule 2 of SSD 10459 applicable to the works being undertaken.

The primary documents reviewed prior to and after the site visit are as follows:

- Development Consent (SSD-10459) dated 31/04/2021 signed by Mike Young, Exec. Director, Energy, Industry and Compliance as delegate for the Minister for Planning and Public Spaces, as modified on 19 November 2021 (Mod-1)
- Central Sydney Industrial Estate incorporating the Sustainable Road Resource Centre State Significant Development Application Environmental Impact Statement Prepared for VE Property Pty Ltd and Downer EDI Works Pty Ltd | September 2020
- Central Sydney Industrial Estate incorporating the Sustainable Road Resource Centre State Significant Development Application Response to Submissions Prepared for VE Property Pty Ltd and Downer EDI Works Pty Ltd | November 2020
- Central Sydney Industrial Estate incorporating the Sustainable Road Resource Centre State Significant Development Assessment SSD-10459, Department of Planning, Industry and Environment (DPIE), January 2021
- Central Sydney Industrial Estate and Downer Sustainable Road Resource Centre Modification 1, SSD Modification Assessment (SSD-10459 Mod-1), DPIE November 2021
- Operational Environmental Management Plan Rosehill Sustainable Road Resource Centre, Downer, Rev 4, 25 January 2022
- Construction Environmental Management Plan Rosehill Sustainable Road Resource Centre, Downer 1 February 2021
- Landscape Management Plan Lot 6 – Downer Sustainable Road Resource Centre, Geoscapes, 2 February 2021
- Site Audit Statement 055-2127799 by Site Auditor Andrew Kohlrusch for Stage 1 Area dated 23 December 2020
- Clyde Western Area Remediation Project Stage 1 – Long Term Environmental Management Plan, ERM 29 January 2021
- Air Quality Verification Report Downer Sustainable Road Resource Centre, Todoroski Air Sciences, 21 November 2022

- Noise Verification Report Downer Sustainable Road Resource Centre, Muller Acoustic Consulting (MAC), October 2022

All records and evidence sighted against each requirement are detailed within Appendix A.

3.2 Summary of Compliance

This Section, including Table 3, presents the status of the findings from the first Independent Audit. Actions in response to each of the findings are also presented. Detailed findings against each requirement are presented in Appendix A. In summary:

- There were 111 CoCs assessed.
- Three (3) non-compliances were identified. These relate to notification of non-compliances to the Department, timing of first independent audit and project website content.
- 76 CoCs were considered by the Auditor to be compliant.
- 32 CoCs were considered by the Auditor to be not triggered.
- Five (5) observations were identified. These relate to the content of the site induction, notification to the Department of Bitumen Products Facility (BPF) not being constructed, updating monitoring reports once the BPF is operational (2) and submission of updated OEMP to the Department.

The overall outcome of the Independent Audit was positive. The findings identified in the audit were of an administrative nature.

Table 3: Findings and recommended actions from the First Independent Audit.

Item	Ref.	Type	Details of item	Recommended action	By whom and by when	Status
IA1-1	CoC A9	Observation	The site induction to staff and contractors does not specifically mention residual contamination capped on site and controls under the Long Term Environmental Management Plan (LTEMP) (ERM, 17/12/2020) for intrusive works	Update the site induction to inform of presence of residual contamination capped on site and controls for intrusive works or prepare a specific intrusive works induction for personnel doing intrusive works	Downer Prior to any ground disturbance works (e.g. maintenance) and induction of personnel associated with ground disturbance	OPEN
IA1-2	CoC A12	Observation	The Bitumen Products Facility (BPF) had not been constructed at the time of the audit and Downer advised the auditor that it has no plans to construct it in the near future. The notifications submitted to the Department in relation to commencement of construction and operations of the DSRRC under Condition A11 do not advise of the exclusion from construction and operation of the BPF or any consideration about staging the BPF.	Notify the Department that the DSRRC's Bitumen Products Facility (BPF) has not been constructed and that Downer has no plans to construct it in the near future. If Downer decides to construct the BPF, assess and identify the consent implications of developing the BPF in consultation and agreement with DPE (eg. validity of consent after 5 years, simultaneous construction and operational activities, etc).	Downer Within 3 months of the First Independent Audit	OPEN
IA1-3	CoC B10	Observation	The AQVR (Todoroski Air Sciences, 21/11/2022) does not cover all plant operations as the BPF is yet to be constructed and operated	Update and submit to the EPA and DPE the AQVR within 3 months of commencement of operation of the DSRRC's BPF (subject to the outcome of Finding IA1-2)	Downer Within 3 months of commencement of operation of the DSRRC's BPF	OPEN
IA1-4	CoC B17	Observation	The NVR (MAC, 24/10/2022) does not cover all plant operations as the BPF is yet to be constructed and operated	Update and submit to the EPA and DPE the NVR within 3 months of commencement of operation of the DSRRC's BPF (subject to the outcome of Finding IA1-2)	Downer Within 3 months of commencement of operation of the DSRRC's BPF	OPEN
IA1-5	CoC C5	Observation	A new version of the OEMP (Rev 5, dated 14/02/2023, available in the project website) has not been submitted to DPE for approval.	Submit updated versions of the OEMP to DPE in accordance with Conditions C5 and C8.	Downer As soon as the OEMP is updated and approved internally, but no later than 3 months from this audit	OPEN
IA1-6	CoC C11	Non-compliance	The non-compliance with Condition C16 regarding the timing of the first independent audit was not reported to the Planning Secretary within 7 days of becoming aware of the non-compliance	Retrospectively notify the Department of the non-compliance with Condition C16	Downer Immediately	OPEN
IA1-7	CoC C16	Non-compliance	The First Independent Audit was commissioned more than a year after commencement of operations on the 12/5/23	In future audits, ensure that the Independent Environmental Audit is undertaken within the timeframes of C16	Downer Within the timeframes of C16	CLOSED
IA1-8	CoC C19	Non-Compliance	Some of the DSRRC's current statutory approvals are not uploaded in the project website (e.g. EPL, TWA)	Upload in the project website all current statutory approvals of the DSRRC	Downer As soon as the statutory approval is obtained	OPEN

3.3 Adequacy of Environmental Management Plans, sub-plans and post approval documents

The adequacy of post approval documents must be determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document.
- whether there are any opportunities for improvement.

The OEMP and associated sub-plans listed in Section 3.1 and approved by the Department were considered compliant with the requirements of the CoCs and the mitigation measures in the consent and environmental assessment documents have generally been included in the OEMP documents.

The OEMP and associated sub-plans were observed to be implemented for the activities being undertaken at the time of the audit as further discussed in Appendix A. The auditor however noted that the site induction does not specifically mention residual contamination capped on site and controls under the *Clyde Western Area Remediation Project, Stage 1 Long Term Environmental Management Plan* (LTEMP) (ERM, Dec 2020) for ground intrusive works. This observation was made within the context of the Site Audit Statement (SAS) issued for the DSRRC site by the accredited site auditor under the *Contaminated Land Management Act 1997* which requires the implementation of the LTEMP prepared following remediation to manage capped contamination. The LTEMP only requires active controls in the event of ground disturbance. The auditor considered that the LTEMP is implemented in accordance with the SAS and condition A9, but recommended that the site induction be updated to inform of presence of residual contamination capped on site and the specific controls for intrusive works or that a specific induction for intrusive works be prepared and provided to workers required to do intrusive works.

3.4 Summary of notices from agencies

The Auditor is not aware of any formal notices from agencies during the audit period, other than the letters of approval for the management plans, strategies, programs and reports, and the issuing of the EPL and EPL variation notices by the EPA.

3.5 Other matters considered relevant by the Auditor or DPE

3.5.1 Matters considered relevant by the Auditor

As indicated in Section 1.5, subdivision works and activities under SSD-10459 comprising the staged industrial subdivision to create the CSIE are undertaken by VE Property Pty Ltd (the Applicant for SSD-10459) are not the subject of this audit. The DSRRC, constructed and operated by Downer in the newly created Lot 6 DP1271928 in the Stage 1 area of CSIE, is the subject of this audit.

Also, and as noted previously, the DSRRC was approved for four main operational facilities including an Asphalt Plant, a Reclaimed Asphalt Pavement (RAP) Facility, a Bitumen Products Facility (BPF) and a Reconomy Facility. However, the BPF had not been constructed (at the time

of the audit) and Downer advised that it has no plans to construct it in the near future. In that regard, the notifications submitted by Downer to the Department in relation to commencement of construction and operations of the DSRRC under Condition A11 do not advise of the exclusion from construction and operation of the DSRRC's BPF or consideration about staging the BPF. The auditor has made a recommendation for Downer to notify the Department that the DSRRC's BPF has not been constructed and had no intention to construct it in the near future, and that if Downer decides to construct the BPF in the future, it will need to assess and identify the consent implications of developing the BPF in consultation and agreement with the Department (eg. validity of consent to BPF after 5 years, simultaneous construction and operational activities, etc).

The auditor has also noted that some of the operational monitoring reporting prepared under the consent (i.e. Noise Verification Report, Air Quality Verification Report), will need to be updated if the BPF becomes operational. Other than that, the auditor did not find any negative environmental implications or compliance issues associated with the absence of the BPF in the site operations. On the other hand, not having the BPF operational results in less production and a reduction in potential environmental impacts (e.g. traffic, etc).

The Auditor has no other matters beyond those discussed above and the findings presented elsewhere in Section 3.2 of this Report.

3.6 Complaints

According to the Complaints register and interviews with Downer, there have been no complaints since commencement of operations.

3.7 Incidents

There were no notifiable incidents as defined in SSD-10459 during the Audit period.

3.8 Actual versus predicted impacts

The audit considered the actual impacts arising from the carrying out of the Project (and whether they are consistent with the relevant impacts predicted in the EIS and RtS Report. A summary of the assessment is presented in Table 5. The Department's SSD-10459 (Jan 2021) considered the key assessment issues are operational noise, air quality and odour, water quality and riparian zone management.

Table 5: Summary of predicted versus actual impacts for key operational assessment issues

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period	Consistent (Y/N)
Contamination	The Stage 1 area can be made suitable for commercial/industrial land upon successful completion of the remediation action strategy. Remediation works in accordance with the Stage 1 remediation action plan (RAP) commenced in 2020 and the relevant Section A site audit statement, confirming the suitability of the site for ongoing commercial/industrial use, will be issued prior to the end of 2020.	Section A2 site audit statement no. 055-2127799 issued by EPA accredited site auditor Andrew Kohlrusch and dated 23 December 2020 certifies that the Stage 1 area is suitable for commercial/industrial uses subject to the implementation of the <i>Clyde Western Area Remediation Project, Stage 1 Long Term Environmental Management Plan</i> (LTEMP) prepared by ERM and dated 17 December 2020. Downer implements the LTEMP which only requires active controls in the event of ground disturbance. Downer procedures and training to staff require that any excavation works require Downer's approval of excavation permits and SWMS. Excavation permits include a Risk Assessment and formal approval by Downer. Some recommendations have been made by the auditor regarding LTEMP training.	Y
Noise	Noise generated during operation of Stage 1 will not exceed project noise trigger levels at nearby receivers, with the proprietary noise reduction measures incorporated into the asphalt plant design.	Noise Verification Report (NVR) 24/10/2022, Muller Acoustic Consulting (MAC) (CoC B17) provided directed attended noise measurements at seven representative monitoring locations during operations and predictive modelling. MAC (24/10/2022) concluded that noise emissions generated by the site comply with the relevant criteria at all assessed residential and industrial receivers. No operational complaints received to date and no noise issues were observed during the auditor's site inspection on 20/07/2023.	Y

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period	Consistent (Y/N)
Air quality and odour	Dust, other pollutants and odour generated during the project will not exceed criteria at residential receivers. However, cumulative criteria will be exceeded for nearby industrial and commercial receivers. Industrial receivers are subject to workplace air quality standards and the approved methods criteria are not applicable. The exceedance at the commercial receiver is minor and people would not be in this commercial premises for long term periods (ie an annual period). The 24-hour average concentrations at the commercial premises will be below the short-term criteria. Management measures will be implemented to further reduce the potential for dust impacts during construction and operation of the project.	Todoroski Air Sciences (TAS) (21/11/2022) report titled Air Quality Verification Report Downer Sustainable Road Resource Centre TAS (21/11/2022) indicates that the post-commission sampling (on 2/08/22 and 19/10/22) of the asphalt plant exhaust stack and a site inspection (on 7/9/22) undertaken to verify the air quality controls for the DSRRC shows that, while some pollutants measured during the post-commission sampling of the asphalt plant exhaust stack were higher than those estimated in the AQIA, all impacts from the Project were well below the relevant impact assessment criteria. TAS (21/11/22) indicates that no excessive visible dust was observed during the site inspection of 7/9/22. Further, no excessive visible dust was observed or odour noted during the auditor inspection on 20/7/23 No air quality complaints received since commencement of operations.	Y
Water quality	Separate water management systems will be constructed and maintained for construction and operations in Lot 6 (the DSRRC) and construction on the remainder of the subdivision. Water which falls on hard surfaces will drain into pits and flow through the pipes to a gross pollutant trap (GPT), and then to a bioretention basin then to a new outlet to Duck River. During the operational phase of the development, the proposed stormwater quality treatment system incorporating the use of a treatment train of gross pollutant traps and bio-retention filtration is proposed to mitigate any increase in stormwater pollutant load generated by the development.	The DSRRC operates its own stormwater management system as shown in the approved OEMP and observed during the auditor's site inspection on 20/7/24. A bioretention basin has been constructed at the southern part of the site, including a GPT, in accordance with the approved OEMP and LMP. Grasses and sedges have been planted in the bioretention basin which provides for water filtration and nutrient uptake by the plants. Downer undertakes water quality monitoring at the bioretention basin during discharges in accordance with the OEMP. A surface water verification report is required under CoC B29 within 18 months of commencement of operations.	Y
Riparian zone management	A 40m riparian corridor to be maintained along the Duck River	A 40m riparian area is established and has been landscaped in accordance with the approved OEMP and LMP. The riparian area is fenced off from the remainder of the site.	Y

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period	Consistent (Y/N)
Waste	Stage 1 (the DSRRC) will accept wastes from offsite, which will be processed, with some material re-used in onsite processes and the remainder reused, recycled or disposed offsite. Some waste materials processed offsite, will be used onsite in the production of asphalt. Material will be reused onsite to produce asphalt in accordance with the resource exemptions and orders.	Some waste is received on site in accordance with the DSRRC's EPL (21611) and the consent. The waste is reused on onsite for the production of asphalt in accordance with approved resource recovery exemptions and orders. Some general solid waste is generated during production activities which is removed off site to waste management facilities licensed to accept such waste. Downer incorporates strict waste tracking and waste management measures in its processes and OEMP as discussed in Appendix A.	Y

The physical extent of the DSRRC appeared to be consistent with the approved boundary shown in the consent's layout plans.

4. CONCLUSIONS

This Audit Report presents the findings from the first Independent Audit of the DSRRC operations, covering the first 14 months of operations, from commencement of operations on the period from 12 May 2022 to 20 July 2023 (the audit period). As the DSRRC was operational at the time of the audit, the audit also addressed those construction elements of the DSRRC that could be assessed on a desktop review.

The overall outcome of the Independent Audit was positive. Compliance records were organised and available at the time of the site inspection and interviews with Downer project personnel. Relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance to statutory requirements and the DSRRC environmental requirements. The audit findings were of an administrative nature. In summary:

- There were 111 CoCs assessed.
- Three (3) non-compliances were identified. These relate to notification of non-compliances to the Department, timing of first independent audit and project website content.
- 76 CoCs were considered by the Auditor to be compliant.
- 32 CoCs were considered by the Auditor to be not triggered.
- Five (5) observations were identified. These relate to the content of the site induction, notification to the Department of Bitumen Products Facility (BPF) not being constructed, updating monitoring reports once the BPF is operational (2) and submission of updated OEMP to the Department.

The Auditor would like to thank the auditees from Downer for their high level of organisation, cooperation and assistance during the Independent Audit.

5. LIMITATIONS

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APPENDIX A – SSD 10459 CONDITIONS OF CONSENT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
SCHEDULE 2				
PART A - ADMINISTRATIVE CONDITIONS				
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT				
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	Site inspection 20/07/2023 Interviews with auditees 20/07/2023 Operation Environmental Management Plan (OEMP) Rosehill Sustainable Resource Centre, rev 4 dated 25 January 2022 Implementation of approved OEMP rev 4 dated 25 January 2022 Evidence referred to elsewhere in this table	Downer has shown that practical and reasonable precautions are being taken to avoid or lessen environmental damage. During the site inspection no harm to the environment was noted. Additionally, since commencement of operations and during the audit period there were no reportable incidents or complaints.	Compliant
TERMS OF CONSENT				
A2	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) in accordance with the EIS and Response to Submissions; (d) in accordance with the Modification Assessments; (e) in accordance with the Development Layout in Appendix 1; and (f) in accordance with the management and mitigation measures in Appendix 2.	Development Consent SSD 10459, 31/01/2021, DPE EIS for Central Sydney Industrial Estate (CSIE) incorporating the Sustainable Road Resource Centre (SRRC) Rev 1, 18/09/2023, Element Environment Response to Submission (RtS) for CSIE incorporating the SRRC Rev 1, 30/11/2020, Element Environment Central Sydney Industrial Estate Development plans stamped, 8/07/2020 by Costin Roe Consulting (DPE approved stamped 31/01/2021) Operational Environmental Management Plan (OEMP) Rev 4 dated 25/01/2022 Construction Certificate No. 201700/01, McKenzie Group, for DSRRC SSD-10459, dated 1/03/2021 Occupation Certificate No. 201700/03, McKenzie Group, for DSRRC SSD-10459, dated 17/05/2022 Evidence referred to elsewhere in this table.	The review of project information and records, interviews with Downer personnel and the site inspection on 20/07/2023 indicates that the development is compliance with the terms of A2. Construction and occupation certificates for the DSRRC were provided by Downer during the audit . The OEMP rev 4 dated 25 January 2022 and associated subplans approved by DPE in correspondence dated 4/2/22 generally included the mitigation measures in the consent. The OEMP is implemented. The auditee advised that it has not received any written directions from the Planning Secretary	Compliant
A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).	Interviews with auditees on 20/7/22 and review of project records	The auditee advised that no written directions have been received from the Planning Secretary	Not triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d) and A2(f). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(d) and A2(f), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.		No inconsistencies identified during the audit in documents listed in condition A2(c) or A2(d) and A2(f)	Not triggered
LIMITS OF CONSENT				
Lapsing				
A5	This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.	Development Consent SSD 10459, 31/01/2021, DPE Letter dated 12/02/2021 EE to DPE re: Notification of Commencement of Construction DSRRC Stage 1 commencing on 25/02/2021 Letter 2/05/2022 EE-DPE re: Commencement of Operation Stage – 12/05/2022	The physical construction and commencement of operation did occur within the five-year period from the approval of the development consent. Note: the Bitumen Products plant has not been constructed yet and Downer has no plans to construct in in the near future. Refer to Observation under Condition A12	Compliant
A6	The draft section 88B instrument (Conveyancing Act 1919) submitted by the Applicant as part of the Response to Submissions does not form part of this consent.			Not triggered
Development Limits - DSRRC				
A7	The DSRRC is not to exceed the following production or processing limits: (a) 550,000 tonnes per year of Asphalt production; (b) 250,000 tonnes per year of Reclaimed Asphalt Pavement processing; (c) 15,000 tonnes per year of Bitumen Products production; and (d) 40,000 tonnes per year of Reconomy processing.	All material coming in and out the SDRRC site goes through weighbridges. Weighbridge records are kept in Downer's SharePoint in a dedicated folder named "SRRC Waste Register". The SRRC Waste Register contains all weighbridge records including production. The SRRC Waste Register was viewed during the audit. The register includes truck registration number, tonnage, date/time, customer, product, gross/tare/net weight. In addition, Stocktake Reports are prepared monthly by Downer's accountant reporting asphalt production. Asphalt volume report dated 1/6/23 to 30/6/23 (50,935 tonnes in that period) viewed during the audit. Other production volumes were provided based on Downer database register.	Asphalt production from 1 May 22 to 30 April 2023: 315,883 tonnes RAP production from 1 June 22 to 30 May 2023: 177,330 tones Reconomy production: 1 June 2022 to 1 June 2023 7,983 tonnes	Compliant
Works under SSD 9302 – Western Area Remediation Project				
A8	Prior to the issue of a Subdivision Certificate for each of Stages 1B, 2 and 3, the Applicant must submit to the Planning Secretary and Certifier the following which are to demonstrate the relevant stage has been remediated in accordance with the approval of SSD 9302 and is suitable for an industrial land use:	Site Audit Statement (SAS) 055-2127799 by Andrew Kohlrusch dated 23/12/2020 issued for Stage 1 area Plan of Subdivision of Lot 1 DP1271927 into lots 5 and 6 of DP1271928 registered on	Site Audit Statement (SAS) 055-2127799 by Andrew Kohlrusch dated 23/12/2020 commissioned by Viva Energy Australia Pty Ltd issued for Stage 1 area (Part Lot 100 in DP1168951) certified that the Stage 1 area is suitable for commercial/industrial use subject to	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	(ii) a Site Audit Statement (accompanied by an Environmental Management Plan, if required by an EPA accredited Site Auditor); and (iii) an accompanying Site Audit Report prepared by an EPA accredited Site Auditor in accordance with the NSW Contaminated Land Management – Guidelines	09/01/2023 (DSRRC is new created Lot 6 DP1271928) and executed by VE Property Pty Ltd	compliance with "Clyde Western Area Remediation Project, Stage 1 Long Term Environmental Management Plan" by ERM (17/12/2020) (SAS attached in OEMP version 4 dated 25/01/2022). SSD 9302 referenced in SAS 055-2127799 Note: Subdivision activities undertaken by the Applicant VE Property including the submission of documentation in accordance with A8 not covered by this audit (Note: the SAS was submitted to the Planning Secretary with the submission of the DSRRC's OEMP (refer to C5)). Downer responsible for construction and operation of the DSRRC in the Stage 1B subdivision site. Plan of Subdivision of Lot 1 DP1271927 into lots 5 and 6 of DP1271928 registered on 09/01/2023 (DSRRC is new created Lot 6 DP1271928) and executed by VE Property Pty Ltd	
A9	The Applicant must implement the Long Term Environmental Management Plan (LTEMP) approved under condition B8 of SSD 9302 and provide evidence to the Planning Secretary that the LTEMP is listed on the relevant planning certificate(s) issued under section 10.7 of the EP&A Act for each lot created by Stages 1A and B, 2 and 3 as shown in the 'Subdivision Drawings prepared by Land Partners' in Appendix 1.	LTEMP (ERM, 17/12/2020) Site inspection on 20/7/23 Planning Certificate under Section 10.7 of the EP&A Act Interviews and review of records Downer's Excavation Permit form Induction and training records (refer to CoC A20) Post Approval notification to the Department - planning portal - (from Mark Roberts, Downer) with "Description of the document and reason for submission / Overview of changes made to existing documents: SSD 10459 – Central Sydney Industrial Estate, Devon Street, Cond 9A - Evidence to the Planning Secretary that the LTEMP is listed on the relevant planning certificate"	Downer responsible for implementing the LTEMP (ERM, 17/12/2020) on the DSRRC site. The LTEMP requires maintenance of passive control systems only. Under the LTEMP, non-intrusive works do not require active management controls. Downer implements the LTEMP which only requires active controls in the event of ground disturbance. Downer procedures and training to staff require that any excavation works require Downer's approval of excavation permits and SWMS. Excavation permits include a Risk Assessment and formal approval by Downer. Planning Certificate for Lot 6 DP1271928 lists the EMP and also indicates that the land is the subject of a Site Audit Statement Note: Subdivision activities undertaken by the Applicant VE Property including the submission of documentation in accordance with A9 Observation: the site induction to staff and contractors does not specifically mention residual contamination capped on site and controls under the LTEMP for intrusive works Recommendation: update the site induction to inform of presence of residual contamination capped on site and controls for intrusive works or prepare a specific intrusive works induction for personnel doing intrusive works	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A10	Nothing in this consent limits, restricts or removes the conditions of consent for SSD 9302.			Not triggered
NOTIFICATION OF COMMENCEMENT				
A11	The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one week before that date, or as otherwise agreed with the Planning Secretary: (a) construction; (b) operation; and (c) cessation of operations.	Letter dated 12/02/2021 EE to DPE re: Notification of Commencement of Construction of DSRRC on 25/02/2021 Letter dated 2/05/2022 EE to DPE re: Commencement of Operations of DSRRC on 12/05/2022	The notification of commencement of construction was submitted to the Department in correspondence dated 12/02/2021 for commencement on 25/02/2021 which is within the required timeframe set forth in this condition. The notification of the commencement of operation was submitted to the Department in correspondence dated 2/05/2022 for commencement on 12/05/2022 which is within the required timeframe set forth in this condition.	Compliant
A12	If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing, at least one week before the commencement of each stage (or other timeframe agreed with the Planning Secretary), of the date of commencement and the development to be carried out in that stage.	Letter dated 12/02/2021 EE to DPE re: Notification of Commencement of Construction of DSRRC on 25/02/2021 Letter dated 2/05/2022 EE to DPE re: Commencement of Operations of DSRRC on 12/05/2022 Construction of the Bitumen Products Plan has not been undertaken or commenced. Downer advised the auditor that it has no short term plans to constructed the BPP.	Commencement of construction and operation of the DSRRC (Stage 1B) was notified to DPE in accordance with A11 and A12. Observation: The Bitumen Products Facility (BPF) had not been constructed at the time of the audit and Downer advised the auditor that it has not short term plans to construct it. The notifications submitted to the Department in relation to commencement of construction and operations of the DSRRC do not advise of the exclusion from construction and operation of the DSRRC's BPF or any consideration about staging the BPF. Recommendation: Notify the Department that the DSRRC's Bitumen Products Facility (BPF) has not been constructed and that Downer has no plans to construct it in the near future. If Downer decides to construct the BPF, assess and identify the consent implications of developing the BPF in consultation and agreement with DPE (eg. validity of consent after 5 years, simultaneous construction and operational activities, etc).	Compliant
EVIDENCE OF CONSULTATION				
A13	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and (b) provide details of the consultation undertaken including: (ii) the outcome of that consultation, matters resolved and unresolved; and (iii) ii. details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Construction Environmental Management Plan (CEMP) Rev 5, 5/02/2021, Downer Annex E of CEMP – Construction Traffic and Pedestrian Management Plan (CTPMP) Rev 1, 1/02/2021, Element Environment Flood Emergency Response Plan (FERP) Rev 2.0 3/02/2021, Molino Stewart	Evidence of consultation: CTPMP – sighted consultation with TfNSW 18/01/2021 FERP – sighted consultation 21 and 27 January 2021 attended representative from NSWSES (Peter Cinque, Shelly Stingmore & Jacqueline Kenner), rep from Downer and Molino Stewart's principals.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Operational Environmental Management Plan (OEMP), Rev 4 dated 25/01/2022	OEMP – consultation with EPA in accordance with C5 provided in appendix J of OEMP	
STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS				
A14	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development)	DPE letter dated 16/02/21 approval of staging pre-construction management plans under A14 for the DSRRRC only DPE letter dated 3/08/21 approval to combine management plans in OEMP for the DSRRRC. DPE letter 4/02/2022 approval of the OEMP (Rev 4, 25 Jan 2022) and associated sub-plans incorporated in the OEMP including Air Quality Management Plan (Condition B8), Driver Code of Conduct (Condition B18), Flood Emergency Response Plan (Condition B23), Surface Water Management Plan (Condition B27) and Waste Management Plan (Condition B45)	DPE letter of 16/2/21 agreed with staging the DSRRRC pre-construction management plans only, with other works associated with the broader CSIE to be submitted for approval at a later stage. DPE letter of 16/02/21 approved the following plans specific to DSRR construction: - Construction Environmental Management Plan (Revision 4, dated 1 February 2021) - Construction Traffic and Pedestrian Management Plan (Revision 7, dated 5 February 2021) - Erosion and Sediment Control Plan (Drawing CO13919.01-DA21 Revision F, dated 30 November 2020 and Drawing CO13919.01-DA25 Revision B, dated 12 August 2020) - Construction Noise Management Plan (Revision 1, dated 1 February 2021) - Community Consultation and Complaints Handling (CEMP) - Flood Emergency Response Plan (Revision 2.0, dated 3 February 2021) and - Residual and Unexpected Contamination Management Plan (Revision 3, dated 3 February 2021)	Compliant
A15	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent	No agreement received from the Planning secretary to update strategies, plans or programs without consultation	Based on discussions with Downer and review of project records, there is no evidence that the Planning Secretary has agreed to stage or update a strategy, plan or program prepared under this consent for the DSRRRC without the consultation required under the relevant conditions of this consent	Not triggered
A16	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program		Discussions with Downer and review of project records do not show any communication with the Planning Secretary regarding Condition A16.	Not triggered
PROTECTION OF PUBLIC INFRASTRUCTURE				
A17	Before the commencement of construction, the Applicant must: (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;	Dilapidation Report Property Devon, Colquhoun & Unwin Streets, Rosehill (Craig Sing Graigmar Consulting Services) Inspection Date 8 October 2021	Dilapidation Report prepared and submitted to DPE and Council prior to the commencement of construction.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and (c) submit a copy of the dilapidation report to the Planning Secretary and Council.	Planning Portal submission to the Department of the Stage 1 – Dilapidation Report (from Mark Roberts, VE Property Pty Ltd) under CoC A17 Consultation letters/communications with service providers (refer to CoC A26) DBK Property letter to DPE dated 15/10/2021, re: SSD10459 – Central Sydney Industrial Estate, Devon Street, 9 Devon Street, Rosehill – Lodgement of Dilapidation Survey under Condition A17		
A18	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.		No public infrastructure was reportedly damaged. Project records reviewed and sighted do not provide any indication of infrastructure damages during construction.	Not triggered
STRUCTURAL ADEQUACY				
A19	All new buildings and structures that are part of the development, must be constructed in accordance with the relevant requirements of the BCA. Note: - Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. - Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.	Construction Certificate No. 201700/01, McKenzie Group, for DSRRC SSD-10459, dated 1/03/2021 Occupation Certificate No. 201700/03, McKenzie Group, for DSRRC SSD-10459, dated 17/05/2022 Civil Design Certification 9 Devon Street Rosehill, Costin Roe Consulting, dated 22/2/2022 Structural Construction Certification 9 Devon Street Rosehill, Costin Roe Consulting, dated 23/2/2022 Electrical Services Design Certificate, Stantec 19/02/2021 Compliance Statement Regulatory items and Development Approval conditions for the issuance of the CC for Rosehill Modular Buildings A, B, C, D, KLMS 30/6/2021 KLMS, 5/04/2022 external walls and cladding certification	Certifications obtained by Downer and reviewed during the audit suggest that the Project structures have been constructed in accordance with the BCA Note: WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition	Compliant
COMPLIANCE				
A20	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	OEMP Rev 4 dated 25/01/2022, Sections 8.2 and 8.3.	Downer provides the following induction to personnel:	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		DSRRC Site Specific Induction (Powerpoint) Induction Register and records (Downer's SharePoint). Toolbox records and attendance registers sighted (dated 1/5/23, 28/04/23, 20/01/23, 10/10/22, 26/9/22, 12/09/22, 5/08/22, 29/7/22) covering environmental, housekeeping, trade waste, maintenance, sweeper, truck loading and other topics)	- Site specific induction - Downer induction - Drivers code of conduct induction - Toolboxes (fortnightly) - Specific training for specific roles Personnel involved with the site are required to undertake inductions and training in accordance with Sections 8.2 and 8.3 of the approved OEMP Records of induction are kept in Downer's SharePoint (sighted). Copy of induction records made available to the auditor and shown during site visit on 20/7/23 included emergency procedures, incident reporting, SWMS and permit system, Environmental management, waste management, protection of waterways	
CONTRIBUTIONS TO COUNCIL				
A21	Before the issue of an occupation certificate for any part of the development, a contribution under section 7.12 of the EP&A Act must be paid to Council under the City of Parramatta S94A Development Contributions Plan (Amendment No.5). The cost of development works must be calculated in accordance with clause 25J of the EP&A Regulation by a suitably qualified quantity surveyor.	Payment of Development contribution to PCC for \$748,274 dated 22/3/22 sighted during the audit on 20/7/23	McKenzie Group issued the Occupation Certificates Development contributions paid to Council before OC	Compliant
OPERATION OF PLANT AND EQUIPMENT				
A22	All plant and equipment used on site, or to monitor the performance of the development, must be: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Equipment Manual Register (SharePoint: Devon St/SP1216 O&M Manuals) Operation and Maintenance Manual Mobile Conveyor Wheel Loader Risk Management Report (Plant Assessor, 16/09/2022) Maintenance Register AMMANN HRT Calibration Schedule Rosehill (including frequency, due date, equipment (model, serial number, calibrated by, weight) Site inspection on 20/07/2023	The DSRRC is a modern and highly automatised industrial site. Downer processes and systems provides for systematic maintenance of equipment. Manuals for all plant and equipment are kept on Downer's files, sighted during the audit. Calibration records sighted Logs of maintenance kept on SharePoint	Compliant
EXTERNAL WALLS AND CLADDING – DSRRC BUILDING WORKS				
A23	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	KLMS Australia Letter dated 5 April 2022 (regarding compliance with external walls and cladding with the BCA and reference to conditions A23 and A24)	KLMS Australia letter dated 5 April 2022 reports compliance of external walls and cladding with the BCA, and references conditions A23 and A24 The OC references KLMS letter dated 5/5/22	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Occupation Certificate (OC) No. 201700/03 by McKenzie Group for the DSRRC dated 17/5/22		
A24	Prior to the issue of: (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and (b) an Occupation Certificate, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.	KLMS Australia Letter dated 5 April 2022 (regarding compliance with external walls and cladding with the BCA and reference to conditions A23 and A24) Occupation Certificate (OC) No. 201700/03 by McKenzie Group for the DSRRC dated 17/5/22	KLMS Australia letter dated 5 April 2022 reports compliance of external walls and cladding with the BCA, and references conditions A23 and A24 The OC references KLMS letter dated 5/5/22 Note: WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition	Compliant
A25	The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.	KLMS Australia Letter dated 5 April 2022 (regarding compliance with external walls and cladding with the BCA and reference to conditions A23 and A24) Occupation Certificate (OC) No. 201700/03 by McKenzie Group for the DSRRC dated 17/05/2022 Email to the Department dated 19/05/2022 with details of submission of OC in Planning Portal (submission number CFT-133603) and compliance with CoC A25, and subsequent re-submission in email dated 26/05/2022 Department's acknowledgement of receipt of OC (reply email dated 16/06/2022)	Evidence of documentation accepted to the certifier about compliance with CoC A23 and A24 reference in OC. OC submitted to the Department.	Compliant
UTILITIES AND SERVICES				
A26	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers. The Applicant is to include TfNSW in any consultation with Sydney Water regarding the proposed wastewater and potable water mains on Colquhoun Street.	Construction Certificate No. 201700/01 by McKenzie group dated 1/3/2021 to the DSRRC, with reference to plans for Energy Works prepared by Endeavour Energy Gas Supply Licensee's Certificate of Compliances dated 23/11/21 and 15/12/2021 Endeavour Energy Letter Ref: UIL5936 dated 16/9/2021 – Connection of Load Application 9 Devon Street, Rosehill, Drawing 521553B NBN letter to Downer dated 11/01/2021 23/2/2022, and NBN letter to Green Futures both re: Provisioning of Telecommunication Services – Confirmation of Payment, providing verification of NBN infrastructure Sydney Water Subdivider/Developer Compliance Certificate for the DSRRC dated 31/01/2021	CC and OC obtained, with service connections approved by the service providers. DSRRC does not have frontage with Colquhoun Street. The western side of the CSIE site is adjacent to Colquhoun St. Consultation with Sydney Water regarding wastewater and potable water on Colquhoun Street not applicable to the DSRRC works but to the subdivision works by VE Property.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Sydney Water Subdivider/Developer Compliance Certificate for the DSRRC dated 22/02/2022 Sydney Water Drinking Water Connection Application 1254928 dated 30/09/2021		
A27	Before the issue of a Subdivision Works Certificate or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for: (a) the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development, demonstrated through an agreement with a carrier.	Construction Certificate No. 201700/01 by McKenzie group dated 1/3/2021 to the DSRRC, with reference to NBN letter dated 11/01/2021 with verification of NBN infrastructure NBN letter to Green Futures dated 11/01/2021, and NBN letter to Downer dated 23/2/2022t, both re: Provisioning of Telecommunication Services – Confirmation of Payment, providing verification of NBN infrastructure NBN drawing STG-W000184323 dated 4/05/21)	The DSRRC is provided with NBN infrastructure as referred to in the CC and NBN communications. NBN drawing STG-W000184323 dated 4/05/21 shows NBN cables connected to the asphalt plant through an easement along the western side of the DSRRC) Note: WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition	Compliant
A28	Before the issue of the Occupation Certificate for the DSRRC building works or Subdivision Certificate, the Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.	Occupation Certificate no. 201700/003 McKenzie Group dated 17 May 2022 NBN letter to Green Futures dated 11/01/2021, and NBN letter to Downer dated 23/2/2022t, both re: Provisioning of Telecommunication Services – Confirmation of Payment, providing verification of NBN infrastructure NBN drawing STG-W000184323 dated 4/05/21)	Occupation Certificate no. 201700/003 McKenzie Group dated 17 May 2022, with reference to Certificate of Practical completion of Developers Activities prepared by NBN Australia dated 17 December 2021, and with reference to NBN letter dated 23/02/2022 confirmation of final payment of Telecommunications services Note: WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition	Compliant
SUBDIVISION				
All Stages				
A29	The Applicant must subdivide the site in accordance with the subdivision plans listed in Appendix 1.	Plan of Subdivision of Lot 1 DP1271927 into lots 5 and 6 of DP1271928 registered on 09/01/2023 (DSRRC is in the new created Lot 6 DP1271928) and executed by VE Property Pty Ltd	Land subdivision is undertaken by the Applicant VE Property Pty Ltd. Downer's responsibilities under the consent relate to the construction and operation of the DSRRC in one of the lots created (ie. Lot 6 DP1271928)	Not triggered
A30	Prior to the issue of a Subdivision Certificate for each of Stages 1A and 1B, 2 and 3, the Applicant must: (a) provide the Certifier evidence that all matters required to be registered on title, including easements, have been prepared and are included on the plan of subdivision for registration at Land Registry Services; (b) obtain a Compliance Certificate for water and sewerage infrastructure servicing of the relevant stage under section 73 of the Sydney Water Act 1994; and	Plan of Subdivision of Lot 1 DP1271927 into lots 5 and 6 of DP1271928 registered on 09/01/2023 (DSRRC is in the new created Lot 6 DP1271928) and executed by VE Property Pty Ltd	Land subdivision is undertaken by the Applicant VE Property Pty Ltd. Downer's responsibilities under the consent relate to the construction and operation of the DSRRC in one of the lots created (ie. Lot 6 DP1271928)	Not triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	(c) demonstrate to the satisfaction of the Certifier that satisfactory service arrangements for electricity for the relevant stage have been established.	Sydney Water Subdivider/Developer Compliance Certificate for the DSRRC dated 22/02/2022	Note: Sydney Water Subdivider/Developer Compliance Certificate for the DSRRC dated 22/02/2022 indicates that "Sydney Water Corporation certifies that the above named applicant has complied with the requirements, relating to the plan of Subdivision/Development described above, of Division 9 of the Sydney Water Act, 1994."	
A30A	Notwithstanding Condition A30(a), any easements proposed for Stages 1A and 1B may be registered on title within six (6) months of obtaining a Subdivision Certificate for each of Stages 1A and 1B or no later than the issue of a Subdivision Certificate for Stage 2, whichever is sooner.	Plan of Subdivision of Lot 1 DP1271927 into lots 5 and 6 of DP1271928 registered on 09/01/2023 (DSRRC is in the new created Lot 6 DP1271928) and executed by VE Property Pty Ltd	Land subdivision is undertaken by the Applicant VE Property Pty Ltd. Downer's responsibilities under the consent relate to the construction and operation of the DSRRC in one of the lots created (ie. Lot 6 DP1271928) Lot 6 DP1271928 title shows easements on the site	Not triggered
Stages 2 and 3				
A31	Prior to the issue of a Subdivision Certificate for each of Stages 2 and 3, detailed work-as-executed drawings prepared and signed by a Registered Surveyor, which show the finished surface levels of the access road (for stage 3), drainage and any areas of fill, carried out under this consent for the relevant stage, must be submitted to the Certifier and Council.		Land subdivision is undertaken by the Applicant VE Property Pty Ltd.	Not triggered
A32	The subdivision of Stage 3 must include the dedication of the new internal access road and carriageway (Stage 3) required under condition B32, to Council.		Land subdivision is undertaken by the Applicant VE Property Pty Ltd.	Not triggered
WORK AS EXECUTED PLANS – DSRRC BUILDING WORKS				
A33	Before the issue of an Occupation Certificate for the DSRRC, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished surface levels have been constructed as approved, must be submitted to the Principal Certifier.	Occupation Certificate (OC) No. 201700/03 by McKenzie Group for the DSRRC dated 17/5/22 Civil Design Certification, Costin Roe Consulting Pty, 22 February 2022 with confirmation of compliance with the BCA, the consent including CoC B22, and amongst others the following standards: - AS 3500.3 2018 Plumbing and drainage, Part 3: Stormwater Drainage - AS 3600 2018 Concrete Structures Structural Construction Certification, Costin Roe Consulting Pty, 23 February 2022 CCTV Report 22/166, J&J Pipe Testing, 19/04/2022 – conduit and pit surveys Total Surveying Solutions (TSS), Drawings 3006 & 3007, both dated 17/03/2022, As-Built Stormwater Pits Total Surveying Solutions (TSS), Drawings 8009 & 8010, dated 30/03/2022 and	Occupation Certificate No. 201700/03 includes references to inspection Report for Stormwater prepared by McKenzie Group dated 7 October 2021, and correspondence regarding stormwater connection inspection (by McKenzie Group dated 6 October 2021) As-Built stormwater and finished surface levels drawings (TSS Drawings 3006,3007, 8009 & 8010) sighted. Note: WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		3/30/2022 respectively, As-Built Asphalt levels		
APPLICABILITY OF GUIDELINES				
A34	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.		Guidelines, protocols, Australian Standards or policies referenced in documentation reviewed during the audit are current or as at the date of the consent	Compliant
A35	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.		Project records and discussions with the auditee does not indicate that the Planning Secretary has issued any directions to comply with updated or revised versions of a guideline, protocol, Standard or policy, or a replacement of them	Not triggered
ADVISORY NOTES				
AN1	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	Environment Protection Licence (EPL) no. 21611 obtained by Downer Trade Waste Agreement (TWA) (undated) with Sydney Water (title: Consent to discharge industrial trade wastewater) TWA sampling results – Report No. M4136/10 dated 13 April 2023 Email to SWC dated 16/05/23 with TWA monitoring results Radiation Management Licence No. 5061392 under the Radiation Control Act 1990 issued by the EPA (expiry date: 14/12/23, renewed annually) for the storage of radioactive equipment used for checking compaction of asphalt. Radioactive equipment kept in accordance with Radiation Management Licence. Site inspection on 20/07/2023	Trade Waste Agreement (temporary) issued by Sydney Water to Downer for the DSRRC (copy obtained during the audit). Downer advised that the TWA is temporary for 12 months until Sydney Water issues a final TWA. TWA monitoring is undertaken every 60 days in accordance with TWA and results submitted to Sydney Water. Records kept on site. TWA monitoring results (Report No. M4136/10 dated 13 April 2023) and communications with Sydney Water dated 16/05/23 sighted during the audit. Downer stores equipment which contains small amounts of radiation. The storage of equipment on site is undertaken under a Radiation Management Licence No. 5061392 issued by the EPA which is renewed annually. The depot, visited during the site inspection on 20/07/2023, is maintained in accordance with the Radiation Management Licence.	Compliant
PART B - SPECIFIC ENVIRONMENTAL CONDITIONS				
CONTAMINATION				
Unexpected Finds				
B1	Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the CEMP in accordance with condition C2 and must ensure any material identified as contaminated is disposed off-site, or otherwise treated to the satisfaction of the EPA Accredited Site Auditor, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.	Construction Environmental Management Plan (CEMP) Rev 4, dated 1 February 2021, Downer – Annex B	A Residual and Unexpected Contamination Management Plan was prepared which form part of the CEMP and addressed the requirement in this condition.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Annex B Residual and Unexpected Contamination Management Plan Rev 2 3/02/2021, Downer DPE correspondence dated 16/02/2021 to Element Environment approving CEMP Rev 4 and Unexpected Contamination Procedure prepared under Condition B1 Site Audit Statement (SAS) 055-2127799 by Andrew Kohlrusch dated 23/12/2020 issued for Stage 1 area (Part Lot 100 in DP1168951) certified that the site is suitable for commercial/industrial use subject to compliance with "Clyde Western Area Remediation Project, Stage 1 Long Term Environmental Management Plan" by ERM (17/12/2020) (SAS attached in OEMP version 4 dated 25/01/2022).	DPE correspondence dated 16/02/2021 to Element Environment approving CEMP Rev 4 and Unexpected Contamination Procedure prepared under Condition B1 No unexpected finds reported during construction.	
B2	The Applicant must ensure the development does not result in a change of risk in relation to any pre-existing contamination on the site so as to result in significant contamination. Note: Significant contamination is defined under section 11 of the CLM Act.	Construction Environmental Management Plan (CEMP) Rev 4, 1/02/2021, Downer – Annex B Annex B Residual and Unexpected Contamination Management Plan Rev 2 3/02/2021, Downer Site Audit Statement (SAS) 055-2127799 by Andrew Kohlrusch dated 23/12/2020 issued for Stage 1 area (Part Lot 100 in DP1168951) certified that the site is suitable for commercial/industrial use subject to compliance with "Clyde Western Area Remediation Project, Stage 1 Long Term Environmental Management Plan" by ERM (17/12/2020) (SAS attached in OEMP version 4 dated 25/01/2022). Excavation Permit Record	Review of project records and discussions with the auditee does not indicate that the development have resulted in a change of risk in relation to any pre-existing contamination. The site was remediated (as indicated in SAS 055-2127799) and made suitable for the commercial/industrial use. Excavation permit and SWMS required for any intrusive works. Excavation permits include a Risk Assessment and formal approval by Downer.	Compliant
AIR QUALITY				
Dust Minimisation				
B3	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	Construction Environmental Management Plan (CEMP) Rev 4, 01/02/2021, Downer – Section 7.2 Operational Environmental Management Plan (OEMP), Revision 4, dated 25 January 2022 Todoroski Air Sciences (TAS) (21/11/2022) report titled <i>Air Quality Verification Report Downer Sustainable Road Resource Centre</i>, prepared under condition B10	Requirement of this condition was integrated in the CEMP under Section 7.2 Risk Assessment, and OEMP under Section 7.4.4 Air Quality management measures. Sprinklers located on the RAP and Reconomy buildings, water cart on site, and sprinklers at raw material unloading point. No visible dust observed during the site walk	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Site inspection on 20/7/23	TAS (21/11/2022) reports compliance with air quality criteria and implementation of OEMP's air quality mitigation measures	
B4	During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method; (b) all trucks entering or leaving the site with loads have their loads covered; (c) trucks associated with the development do not track dirt onto the public road network; (d) public roads used by these trucks are kept clean; and (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces	Construction Environmental Management Plan (CEMP) Rev 4, 01/02/2021, Downer – Section 7.2 Risk Assessment	Cannot verify, construction phase completed	Not triggered
Air Quality Discharges - DSRRC				
B5	The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the DSRRC site.	Todoroski Air Sciences (TAS) (21/11/2022) report titled <i>Air Quality Verification Report Downer Sustainable Road Resource Centre</i>, prepared under condition B10 OEMP, Rev 4 dated 25/01/2022 EPL 21611 and EPA's website https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=21611&id=21611&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued Site inspection 20/07/2023 Equipment maintenance records (refer to Condition A22)	TAS (21/11/2022) undertook air quality sampling during operation and reported compliance with air quality criteria and implementation of OEMP's air quality mitigation measures. No non-compliances with the EPL reported in the EPA's website for EPL 21611 No air quality issues noted during site inspection on 20/07/23.	Compliant
B6	Driveways and hardstand areas must be swept/cleaned as required by a street sweeper during operations. The street sweeper must be utilised to maintain the sealed surfaces in such a manner that prevents or minimises air pollution.	Site inspection 20/07/2023	Street sweeper sighted on site, Downer initially subcontracted this service, but a permanent street sweeper is now on site. No dust was observed during the site inspection.	Compliant
B7	Where possible, all mobile non-road diesel equipment operated at the DSRRC site must achieve a particulate matter emission performance commensurate with US EPA Tier 4 particulate emission standards.	Todoroski Air Sciences (TAS) (21/11/2022) report titled <i>Air Quality Verification Report Downer Sustainable Road Resource Centre</i> Front End loader R930 G8.0-D, Certificate 2144755473-2146266809 certified as US EPA Tier 4	TAS (21/11/2022) report titled <i>Air Quality Verification Report Downer Sustainable Road Resource Centre</i> indicates the following: "it was advised that all new equipment purchased meets US EPA Tier 4 particulate emission standards' and that "As all new equipment purchased meets US EPA Tier 4 particulate emission standards, this is considered suitable." Downer has certificates of all new equipment purchased showing certification of US EPA Tier 4 particulate emission standards.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Air Quality Management Plan - DSRRC				
B8	Prior to the commencement of operation of the DSRRC, the Applicant must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP must form part of the OEMP required by condition C5. The AQMP must: (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with the EPA; (c) detail and rank all emissions from all sources of the development, including particulate emissions; (d) describe a program that is capable of evaluating the performance of the operation and determining compliance with key performance indicators, including the prescribed concentrations contained in the Protection of the Environment Operations (Clean Air) Regulation 2010; (e) identify the control measures that will be implemented for each emission source; and (f) nominate the following for each of the proposed controls: i. key performance indicator; ii. monitoring method; iii. location, frequency and duration of monitoring; iv. record keeping; v. complaints register; vi. response procedures; and vii. compliance monitoring.	AQMP provided in Section 7.4 of OEMP, Rev 4 dated 25 January 2022 DPE letter to Element Environment dated 4/02/22 approval of OEMP Rev 4 and the Air Quality Management Plan prepared under Condition B8	DPE letter to Element Environment dated 4/02/22 approved the OEMP Rev 4 and the Air Quality Management Plan prepared under Condition B8	Compliant
B9	The Applicant must: (a) not commence operation until the AQMP required by condition B8 is approved by the Planning Secretary; and (b) implement the most recent version of the AQMP approved by the Planning Secretary for the duration of the development	DPE letter to Element Environment dated 4/02/22 approval of OEMP Rev 4 and the Air Quality Management Plan prepared under Condition B8 Downer letter to DPE notifying commencement of operation on 12/05/22 Todoroski Air Sciences (TAS) (21/11/2022) report titled <i>Air Quality Verification Report Downer Sustainable Road Resource Centre</i> EPL 21611 and EPA's website https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=21611&id=21611&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued Site visit on 20/07/23 Complaints Register (website) Monthly environmental inspections: DA-ZH-FM116.8 Environmental Inspection Checklist Asphalt Plant, 6/07/2023	AQMP approved by the Planning Secretary prior to commencement of operations TAS (21/11/2022) reports compliance with air quality criteria and implementation of OEMPs air quality mitigation measures No non-compliances with the EPL reported in the EPA's website for EPL 21611 Implementation of AQMP observed during site inspection of 20/07/23 The following was checked during the audit: - personnel induction covers environmental management including dust control - formal and documented monthly environmental inspections visual monitoring, and informal daily - no dust visible within the site and beyond boundary - no validated air quality complaints - stack testing results (solid particles asphalt plant exhaust stack) below 100 mg/m3 TAS (21/11/22)	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
			- daily checks of weather forecast	
B10	An Air Quality Verification Report (AQVR) must be submitted to the EPA and Planning Secretary within three (3) months of the commencement of operation of the DSRRC. The AQVR must: (a) be undertaken in accordance with the Approved Methods for Modelling and Assessment of Air Pollutants in NSW; (b) demonstrate that all reasonable and feasible mitigation measures have been incorporated into the development; (c) reference manufacturer's specifications and/or performance guarantees for the asphalt plant; (d) demonstrate compliance with the prescribed concentrations contained in the Protection of the Environment Operations (Clean Air) Regulation 2010; (e) outline management actions to be taken to address circumstances where the concentrations specified in part d) have been exceeded; and (f) describe the contingency measures and the timing of their implementation in the event the management actions are not effective in reducing the air emissions to an acceptable level.	Todoroski Air Sciences (TAS) (21/11/2022) report titled <i>Air Quality Verification Report Downer Sustainable Road Resource Centre</i> Downer letter to DPE dated 2 May 22 – notification of commencement of operations on 12 May 22. Downer correspondence to the EPA dated 28 July 2022 with interpretation of timing of submission of air quality and noise verification reports. Downer's email to auditor dated 12/7/23 indicating that "the Bitumen Products Facility has not been constructed and is not scheduled to be constructed at this point in time." It also indicates that the RAP facility commenced operations on the 30 June 2022 upon variation of the EPL 21611. AQVR submitted to the EPA in Downer (Colin Biggs' emails to Nadine.constatinou@epa.nsw.gov.au and info@epa.nsw.gov.au) email dated 21 and 22 November 2022 (sighted) and refers to the document being uploaded in the Planning Portal. Email from Element to Downer dated 21/11/2022 indicating that the AQVR have been submitted to DPE on 21/11/2022 DPE's email to 13/01/2023, re: "Central Sydney Industrial Estate and Downer Sustainable Road Resource Centre – Noise verification report_Response to DPE_2 – More Information Required"	AQVR prepared by TAS (21/11/22) and submitted to the EPA and DPE as discussed below, noting that the AQVR was prepared without the Bitumen Products Facility (BPF) which is yet to be constructed and operated. AQVR (TAS, 21/11/22) addresses B10(a)-(g) TAS (21/11/2022) indicates that Post-commission sampling (on 2/08/22 and 19/10/22) of the asphalt plant exhaust stack and a site inspection (on 7/9/22) to verify the air quality controls implemented at the Project were undertaken. While some pollutants measured during the post-commission sampling of the asphalt plant exhaust stack were higher than those estimated in the AQIA, all impacts from the Project were well below the relevant impact assessment criteria. The AQVR was submitted to the DPE and the EPA on 21/11/2022 which is not within 3 months of the commencement of operation of the Asphalt Plant. However, DPE in email dated 13/01/2023, prepared in response to Element letter to DPE dated 21/12/2022, required Downer to re-submit the NVR (prepared under Condition B17) within 3 months of the commencement of operation of all project components including the Bitumen Products Facility. The Department indicated that it is requesting to provide the additional information before accepting the document. On the basis of the DPE communication, it is considered that similar to the NVR, the AQVR would need to be re-submitted once all plants components are operational. Downer letter to the EPA dated 28/7/2022 provides a justification for the submission of the AQVR after all site plant commence operations (noting in the letter that the RAP facility commenced operations on 26/7/22 and therefore submission of the AQVR was to occur by the 26/10/22). There is no response to this letter from the EPA. Observation: The AQVR TAS (21/11/2022) does not cover all plant operations as the Bitumen Products Facility is yet to be constructed and operated Recommendation: Update and submit to the EPA and DPE the AQVR within 3 months of	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status												
			commencement of operation of the DSRRC's Bitumen Products Facility (subject to the outcome of Finding in CoC A12)													
Odour Management																
B11	The Applicant must ensure the development does not cause or permit the emission of any offensive odour beyond the boundary of the site (as defined in the POEO Act).	Todoroski Air Sciences (TAS) (21/11/2022) report titled <i>Air Quality Verification Report Downer Sustainable Road Resource Centre</i>	TAS (21/11/2022) indicates “the Project design and operational air quality management system appear to be adequate to minimise dust and odour emissions from the site” and “No excessive visible dust or odour from the Project were observed during the site inspection and the Project has not received any air quality related complaints since the commencement of operations” No odour beyond the site boundary noted during site inspection on 20/7/22 No complaints received during operation	Compliant												
NOISE																
Hours of Work																
B12	The Applicant must comply with the hours detailed in Table 1. <table><tr><th colspan="3">Table 1 Hours of Work</th></tr><tr><th>Activity</th><th>Day</th><th>Time</th></tr><tr><td>Earthworks and construction</td><td>Monday – Friday Saturday</td><td>7 am to 6 pm 8 am to 1 pm</td></tr><tr><td>Operation</td><td>Monday – Sunday</td><td>24 hours</td></tr></table>	Table 1 Hours of Work			Activity	Day	Time	Earthworks and construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm	Operation	Monday – Sunday	24 hours	Construction Environmental Management Plan (CEMP) Rev 4, dated 1 February 2021, Downer – Annex C, Section 6.2.3 Annex C – Construction Noise Management Plan (CNMP) Rev 1, 1/02/2021, Element Environment OEMP, Rev 4 dated 25/01/2022	The CEMP addressed the requirement of this condition specifically in Section 6.2.3, which pertains to the Hours of Construction. Construction completed therefore construction hours could not be verified during construction. OEMP identifies the 24 hour operations	Compliant
Table 1 Hours of Work																
Activity	Day	Time														
Earthworks and construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm														
Operation	Monday – Sunday	24 hours														
B13	Earthworks and construction works outside of the hours identified in condition B12 may be undertaken in the following circumstances: (a) works do not exceed the noise limits detailed in Table 8 of the Noise and Vibration Impact Assessment, (b) prepared by Muller Acoustic Consulting, dated 17 September 2020; or (c) works agreed to in writing by the Planning Secretary; or (d) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or (e) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.	Construction Environmental Management Plan (CEMP) Rev 4, dated 1 February 2021, Downer – Annex C, Section 6.2.3 Annex C of CEMP – Construction Noise Management Plan (CNMP) Rev 1, 1/02/2021, Element Environment	Construction completed therefore construction hours could not be verified during construction Downer advised that no OOHWs were required	Not triggered												
Construction Noise Management Plan																
B14	The Applicant must prepare a Construction Noise Management Plan (CNMP) for the development to the satisfaction of the Planning Secretary. The Plan must form part of the CEMP required under condition C2 and must: (a) be prepared by a suitably qualified and experienced acoustic expert; (b) describe procedures for achieving the noise management levels in EPA’s Interim Construction Noise (c) Guideline (DECC, 2009) (as may be updated or replaced from time to time);	Annex C of CEMP – Construction Noise Management Plan (CNMP) Rev 1, 1/02/2021, Element Environment Letter 16/02/2021 DPE-EE(Element Environment) re: DPE approval of CNMP	The CNMP was prepared and approved by the Department on 16/02/2021. The CNMP includes: a) Section 1.2.1 b) Section 5 and 6	Compliant												

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status																																								
	(d) describe the measures to be implemented to manage high noise generating works such as piling; and (e) include a complaints management system that would be implemented for the duration of the development.		c) Noted d) Table 5.1 e) Section 6.5 of CNMP and Section 1.4 of CEMP																																									
B15	The Applicant must: (a) not commence construction of any relevant stage until the CNMP required by condition B14 is approved by the Planning Secretary; and (b) implement the most recent version of the CNMP approved by the Planning Secretary for the duration of construction.	Annex C of CEMP – Construction Noise Management Plan (CNMP) Rev 1, 1/02/2021, Element Environment Letter 16/02/2021 DPE-(Element Environment) re: DPE approval of CNMP Letter 12/02/2021 EE-DPE re: Notification of Commencement of Construction DSRRC Stage 1 – 25/02/2021 Muller Acoustic Consulting (29 April 2021) report <i>Noise Monitoring Assessment Downer EDI Works Pty Ltd - Sustainable Road Resource Centre, Central Sydney Industrial Estate, Rosehill, NSW</i> .	a. The CNMP was approved by the Department on 16/02/2021 while construction commenced on 25/02/2021. b. The recent version of CNMP was Rev 1. Construction noise monitoring and assessment undertaken by Muller Acoustic Consulting (29 April 2021) report titled <i>Noise Monitoring Assessment Downer EDI Works Pty Ltd - Sustainable Road Resource Centre, Central Sydney Industrial Estate, Rosehill, NSW</i> . Muller Acoustic Consulting (29 April 2021) concluded that the results of monitoring demonstrated that external noise levels from construction satisfy relevant external construction noise criteria at assessed receivers.	Compliant																																								
Operational Noise Limits - DSRRC																																												
B16	The Applicant must ensure that noise generated by the operation of the DSRRC does not exceed the noise limits in Table 2. <table border="1"> <caption>Table 2 Noise Limits (dB(A))</caption> <thead> <tr> <th>Location</th><th>Day LAeq(15 minute)</th><th>Evening LAeq(15 minute)</th><th>Night LAeq(15 minute)</th><th>Night L_{AMax}</th></tr> </thead> <tbody> <tr> <td>R1A – 72 River Road, Ermington</td><td>30</td><td>30</td><td>33</td><td>52</td></tr> <tr> <td>R1B – 530 John Street, Rydalmere</td><td>31</td><td>31</td><td>34</td><td>52</td></tr> <tr> <td>R2A – 86 Carnarvon Street, Silverwater</td><td>34</td><td>34</td><td>37</td><td>53</td></tr> <tr> <td>R2B – 101 Beaconsfield Street, Silverwater</td><td>36</td><td>35</td><td>38</td><td>53</td></tr> <tr> <td>R3A – 71 Penelope Lucas Lane, Rosehill</td><td>30</td><td>30</td><td>30</td><td>55</td></tr> <tr> <td>R3B – 88 James Ruse Drive, Rosehill</td><td>30</td><td>32</td><td>30</td><td>55</td></tr> <tr> <td>FR01 – 181 James Ruse Drive</td><td>30</td><td>30</td><td>30</td><td>55</td></tr> </tbody> </table> Note: Noise generated by the development is to be measured and assessed in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (as may be updated or replaced from time to time).	Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	Night L _{AMax}	R1A – 72 River Road, Ermington	30	30	33	52	R1B – 530 John Street, Rydalmere	31	31	34	52	R2A – 86 Carnarvon Street, Silverwater	34	34	37	53	R2B – 101 Beaconsfield Street, Silverwater	36	35	38	53	R3A – 71 Penelope Lucas Lane, Rosehill	30	30	30	55	R3B – 88 James Ruse Drive, Rosehill	30	32	30	55	FR01 – 181 James Ruse Drive	30	30	30	55	Noise Verification Report (NVR) 24/10/2022, Mac Muller Acoustic Consulting	The NVR provides noise monitoring validation results and concludes that noise emissions generated by the site comply with the relevant criteria at all assessed residential and industrial receivers	Compliant
Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	Night L _{AMax}																																								
R1A – 72 River Road, Ermington	30	30	33	52																																								
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FR01 – 181 James Ruse Drive	30	30	30	55																																								
Noise Verification Report - DSRRC																																												
B17	A Noise Verification Report (NVR) must be submitted to the EPA and the Planning Secretary within three months of the commencement of operation of the DSRRC. The NVR must be prepared by a suitably qualified and experienced acoustic consultant and include:	Noise Verification Report (NVR) 24/10/2022, Mac Muller Acoustic Consulting Downer's Colin Biggs email to EPA (info@epa.nsw.gov.au) and	Noise Verification Report (NVR) was prepared by Mac Muller Acoustic Consulting and submitted to the EPA and DPE as discussed below, noting that the NVR was prepared	Compliant																																								

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	(a) an analysis of compliance with noise limits specified in condition B16, undertaken to the satisfaction of the Planning Secretary and in accordance with the Noise Policy for Industry (EPA, 2017); (b) demonstrate that all reasonable and feasible mitigation measures have been incorporated into the development; (c) reference manufacturer's specifications and/or performance guarantees for the asphalt plant; (d) an outline of management actions to be taken to where the limits specified in condition B16 have been exceeded; and (e) describe the contingency measures and the timing of their implementation in the event the management actions are not effective in reducing the noise impacts to an acceptable level.	nadine.constantinou@epa.nsw.gov.au) dated 28/10/22 with NVR Email from EE to Downer 27/10/22 indicating that NVR has been uploaded in the portal. Downer letter to DPE dated 2 May 22 – notification of commencement of operations on 12 May 22. Downer correspondence to the EPA dated 28 July 2022 with interpretation of timing of submission of air quality and noise verification reports. Downer's email to auditor dated 12/7/23 indicating that "the Bitumen Products Facility has not been constructed and is not scheduled to be constructed at this point in time." It also indicates that the RAP facility commenced operations on the 30 June 2022 upon variation of the EPL 21611. Element letter to DPE dated 21/12/2022: Downer SRRC – Noise Verification Report DPE's email to 13/01/2023, re: "Central Sydney Industrial Estate and Downer Sustainable Road Resource Centre – Noise verification report_Response to DPE_2 – More Information Required"	without the Bitumen Products Facility (BPF) which is yet to be constructed and operated. NVR includes: a. Section 7.1 b. Section 7.3 c. Appendix C d. Section 7d e. Section 7.5 NVR was submitted to the DPE on 27/10/2022 which is not within 3 months of the commencement of operation of the Asphalt Plant. However, DPE in email dated 13/01/2023, prepared in response to Element letter to DPE dated 21/12/2022, required Downer to re-submit the NVR within 3 months of the commencement of operation of all project components including the Bitumen Products Facility. The Department indicated that it is requesting to provide the additional information before accepting the document. It is also noted that Downer letter to the EPA dated 28/7/2022 with the NVR provides a justification for the submission of the NVR after all site plant commence operations (noting in the letter that the RAP facility commenced operations on 26/7/22 and therefore submission of the NVR was to occur by the 26/10/22). There is no response to this letter from the EPA. Observation: The NVR by Mac Muller Acoustic Consulting (24/10/2022) does not cover all plant operations as the Bitumen Products Facility is yet to be constructed and operated Recommendation: Update and submit to the EPA and DPE the NVR within 3 months of commencement of operation of the DSRRC's Bitumen Products Facility (subject to the outcome of Finding in CoC A12)	
Road Traffic Noise				
B18	The Applicant must prepare a Driver Code of Conduct and induction training for the development to minimise road traffic noise. The Code is to be incorporated into the CEMP required under condition C2 and the OEMP required under condition C5.	Construction Environmental Management Plan (CEMP) Rev 4, 01/02/2021, Downer – Annex E Annex E of CEMP – Construction Traffic and Pedestrian Management Plan (CTPMP) Rev 1, 1/02/2021, Element Environment	The Driver Code of Conduct was incorporated in the CEMP under Annex F CTPMP. The Driver Code of Conduct was incorporated in the OEMP under Annex D. Downer induction include Traffic Management	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer Downer Sustainable Road Resource Centre Site Specific Induction (powerpoint file)		
SOILS, WATER QUALITY AND HYDROLOGY				
Imported Soil				
B19	The Applicant must: (a) ensure that only VENM, ENM, or other material approved in writing by the EPA or the Site Auditor is brought onto the site during construction; (b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Planning Secretary upon request.	Site Audit Statement (SAS) 055-2127799 by Andrew Kohlrusch dated 23/12/2020 issued for Stage 1 area (Construction Environmental Management Plan (CEMP) Rev 4, 1/02/2021, Downer – Section 7.2 Validation Reports referred to in the SAS: - ERM (2020b). Clyde Western Area Remediation Project, Stage 1 Validation Report, 21 December 2020 (the Stage 1 Validation) - ERM (2020c). Clyde Western Area Remediation Project, Stage 1 Decommissioning Validation Report, 21 December 2020 (the Stage 1 Decommissioning Validation Report)	Site Audit Statement (SAS) 055-2127799 by Andrew Kohlrusch dated 23/12/2020 issued for Stage 1 area (Part Lot 100 in DP1168951) certified that the site is suitable for commercial/industrial use subject to compliance with "Clyde Western Area Remediation Project, Stage 1 Long Term Environmental Management Plan" by ERM (17/12/2020) (SAS attached in OEMP version 4 dated 25/01/2022). Site Auditor required to verify imported materials as part of audit. Requirement under this condition was included under Section 7.2 of the CEMP. Downer advised that no fill was imported, the site was just levelled.	Compliant
Erosion and Sediment Control				
B20	Prior to the commencement of any construction or other surface disturbance the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.	Construction Environmental Management Plan (CEMP) Rev 4, 1/02/2021, Downer – Section 7.2 and Annex H Annex H of CEMP – Construction Erosion and Sediment Control Plan Letter 16/02/2021 DPE-EE re: DPE approval which includes Erosion and Sediment Control Plan (Drawing CO13919.01-DA21 Revision F, dated 30 November 2020 and Drawing CO13919.01-DA25 Revision B, dated 12 August 2020)	Sediment and erosion controls could not be verified as construction was completed prior to the period covered by the audit.	Not triggered
Discharge Limits				
B21	The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.7.3, Table 7.21 Construction Environmental Management Plan (CEMP) Rev 4, 1/02/2021, Downer – Section 7.2 Incident register – incidents, are recorded in INX, Downer internal system (online).	The requirement under this condition is incorporated in the OEMP and CEMP No pollution incidents reported to date. No pollution incidents recorded in INX.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Pollution Incident Response Management Plan Rosehill Sustainable Resource Centre, Downer, v1.2 dated 9/04/2023		
Stormwater Management System - DSRRC				
B22	Prior to the commencement of operation of the DSRRC, the Applicant must design, install and operate a stormwater management system for the development. The system must: (a) be designed by a suitably qualified and experienced person(s); (b) be generally in accordance with the conceptual design in the EIS and Response to Submissions; (c) be in accordance with applicable Australian Standards; (d) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines; and (e) divert clean surface water around operational areas of the site.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.7.3, table 7.21 Concept Stormwater Drainage Plan – Phase 1, Costin Roe Consulting Issue G May 20 (in RtS) Civil Design Certification 9 Devon Street Rosehill, Costin Roe Consulting, dated 22/2/2022 Structural Construction Certification 9 Devon Street Rosehill, Costin Roe Consulting, dated 23/2/2022 Drawings 3006 and 3007, 17/3/2022, As-Built Stormwater pits, Robson Civil Projects Occupation Certificate No. 201700/03, McKenzie Group, dated 17 May 2022 Site inspection on 20/07/23	Costin Roe Consulting's Civil Design Certification dated 22/2/2022 certified that the civil engineering design has been completed in accordance with SSD10459 including Condition B22 and B36 and the City of Parramatta Council Development Engineering Standards. The Occupation Certificate No. 201700/03 certifies the construction of the DSRRC with reference to SSC-10459 As-Built Drawings 3006 & 3007, Robson Civil Projects provide details of built stormwater OEMP Section 7.7 addresses surface water management. A review of project documentation and as observed during the site inspection on 20/7/23, indicates that the stormwater management system for the site is generally consistent with the conceptual design in the EIS and Response to Submission (RtS). The stormwater system of the site (Lot 6) is isolated from other lots, with off site water diverted from the site. Water that falls on hard surfaces drains into pits and flow through pipes to a gross pollutant trap. Water ultimately flows to a bioretention basins and an outlet to Duck River comprising an energy dissipator.	Compliant
Flood Management				
B23	Prior to the commencement of construction, the Applicant must prepare a Flood Emergency Response Plan (FERP). The FERP must form part of the CEMP and OEMP required by conditions C2 and C5 and must: (a) be prepared by a suitably qualified and experienced person(s); (b) address the provisions of the Floodplain Development Manual (2005) and any relevant guidelines; (c) be prepared in consultation with the State Emergency Service; (d) include details of: i. the flood emergency responses for both construction and operation phases of the development; ii. predicted flood levels; iii. flood warning time and flood notification; iv. assembly points and evacuation routes; v. evacuation and refuge protocols; and	Construction Environmental Management Plan (CEMP) Rev 4, 1/02/2021, Downer – Annex D of CEMP – Flood Emergency Response Plan (FERP) Rev 2, 3/02/2021, Molino Stewart. DPE approval of CEMP Rev 4 and FMRP in correspondence dated 16/02/2021 Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer, Annex C of OEMP – Flood Emergency Response Plan (FERP) Rev 3, 31/01/2022, Molino Stewart DEP approval of OEMP Rev 4 and FMRP in correspondence dated 4/02/2022	A Flood Emergency Response Plan Rev 2 dated 3/02/2021 (FERP) was prepared and incorporated in the CEMP which was approved by DPE in correspondence dated 16/02/2021. FERP prepared prior to commencement of construction. A FERP Rev 3 was prepared and incorporated in the OEMP which was approved by DPE in correspondence dated 4/02/2022.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	vi. awareness training for employees and contractors.	Downer letter to DPE dated 12/02/2021 notifying commencement of construction on 25/02/2021		
B24	The Applicant must: (a) not commence construction until the FERP required by condition B23 is submitted to the Planning Secretary for information purposes; and (b) implement the most recent version of the FERP for the duration of the development.	Plan (CEMP) Rev 4, 1/02/2021, Downer – Annex D of CEMP – Flood Emergency Response Plan (FERP) Rev 2, 3/02/2021, Molino Stewart. DPE approval of CEMP Rev 4 and FMRP in correspondence dated 16/02/2021 Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer, Annex C of OEMP – Flood Emergency Response Plan (FERP) Rev 3, 31/01/2022, Molino Stewart DEP approval of OEMP Rev 4 and FMRP in correspondence dated 4/02/2022 Downer letter to DPE dated 12/02/2021 notifying commencement of construction on 25/02/2021 Site inspection on 20/07/2023 and interviews with the auditees	a. FERP Rev 2, attached to the CEMP, was approved by the Department on 16/02/2021 prior to the commencement of construction (25/02/2021). The FERP Rev 3, attached to the OEMP, was approved by the Department on 4/02/2022 b. The implementation of FERP Rev 3 verified during the site inspection. Training cover emergency response for any emergency situations, evacuation points identified on site.	Compliant
B25	All habitable building floor levels must be no lower than the 1% Annual Exceedance Probability flood plus 500 mm of freeboard.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer, Annex C of OEMP – Flood Emergency Response Plan (FERP) Rev 3, 31/01/2022, Molino Stewart Costin Roe Consulting Pty Ltd letter dated 8/08/2023 As-Built Finished Surface (Asphalt) levels, Total Surveying Solutions (TSS), Drawings 8009 & 8010, dated 30/03/2022 and 3/30/2022 respectively Civil Design Certification 9 Devon Street Rosehill, Costin Roe Consulting, dated 22/2/2022 Structural Construction Certification 9 Devon Street Rosehill, Costin Roe Consulting, dated 23/2/2022 Drawings 3006 and 3007, 17/3/2022, As-Built Stormwater pits, Robson Civil Projects Occupation Certificate No. 201700/03, McKenzie Group, dated 17 May 2022	The project Civil and Structural Engineers, Costin Roe Consulting Pty Ltd in letter dated 8/08/2023, confirmed that the administration building, security hut office, driver's rest building and reconomy office are sited at RL 4.3m AHD minimum, and therefore have a proposed floor level no lower than the 1% AEP plus 500mm of freeboard. Note: WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B26	All structures that are built below the 1% Annual Exceedance Probability flood must be constructed from flood compatible building components to ensure structural stability during a flood event.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer, Annex C of OEMP – Flood Emergency Response Plan (FERP) Rev 3, 31/01/2022, Molino Stewart Costin Roe Consulting Pty Ltd letter dated 8/08/2023 Occupation Certificate No. 201700/03, McKenzie Group, dated 17 May 2022	The project Civil and Structural Engineers, Costin Roe Consulting Pty Ltd in letter dated 8/08/2023, confirmed that the structural elements the 1% AEP flood level are detailed to use flood resistant materials (noting these elements generally comprise concrete and/or asphalt pavements). Note: WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition	Compliant
Surface Water Management Plan – DSRRC				
B27	Prior to the commencement of operation of the DSRRC, the Applicant must prepare a Surface Water Management Plan (SWMP) to the satisfaction of the Planning Secretary. The SWMP must form part of the OEMP required by condition C5. The SWMP must: (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with the EPA; (c) characterise the expected quality of discharges in terms of the typical and maximum concentrations of all pollutants likely to be present at non-trivial levels; (d) contain a program to monitor surface water quality; (e) include surface water impact assessment criteria, including trigger levels for investigating any potential adverse surface water impacts; (f) include a protocol for investigation and mitigation where surface water impact assessment criteria is exceeded; and (g) contain an ongoing maintenance program to ensure the entire surface water management infrastructure continues to operate and perform as designed.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.7 Surface Water Management Letter 2/050/2022 EE-DPE re: Notice of Commencement of Operation – 12/05/2022 DPE approval of OEMP Rev 4 and Surface Water Management Plan in correspondence dated 4/02/2022	Surface Water Management Plan (SWMP) was prepared incorporated in the OEMP under Section 7.7. The SWMP includes: a. Section 7.7.1 b. Section 2.2 c. Section 7.7.2 d. Section 7.7.5 e. Section 7.7.2 and 7.7.5 f. Section 7.7.5 g. Section 7.7.4 DPE approval of OEMP Rev 4 and Surface Water Management Plan in correspondence dated 4/02/2022, prior to commencement of operation	Compliant
B28s	The Applicant must: (a) not commence operation until the SWMP required by condition B27 is approved by the Planning Secretary; and (b) implement the most recent version of the SWMP approved by the Planning Secretary for the duration of the development.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.7 Surface Water Management Letter 2/050/2022 EE-DPE re: Notice of Commencement of Operation – 12/05/2022 DPE approval of OEMP Rev 4 and Surface Water Management Plan in correspondence dated 4/02/2022 J&J Pipe Testing Report 22/166 dated 19/4/22 – stormwater pit survey WQ testing done by EVA and associates, Report Number: M4192/1 dated 30/9/22 Water Sampling Results Bio Basin	DPE approval of OEMP Rev 4 and Surface Water Management Plan in correspondence dated 4/02/2022, prior to commencement of operation on 12/05/22 Evidence of implementation of SWMP observed during site inspection on 20/7/23: routine inspections monthly, water quality monitoring during discharge events from the bioretention basin. Spill kits were observed on site during the site inspection on 20/07/2023	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		WQ testing done by EVA and associates, Report Number: M4196/1 dated 24/10/22 Water Sampling Results Duck River discharge point Water Sampling Record, Robson Civil Projects 1/06/2021 DA-ZH-FM116.8 Environmental Inspection Checklist Asphalt Plant, 6/07/2023		
Surface Water Verification Report - DSRRC				
B29	A Surface Water Verification Report (SWVR) must be submitted to the Planning Secretary and the EPA within eighteen (18) months (or as otherwise agreed by the Planning Secretary) of the commencement of all operations associated with the DSRRC. The SWVR must: (a) include an analysis of compliance with the maximum concentrations identified under condition B27(c) undertaken to the satisfaction of the Planning Secretary; (b) demonstrate that all reasonable and feasible mitigation measures have been incorporated into the development; (c) reference manufacturer's specifications and/or performance guarantees; (d) an outline of management actions to be taken to address any exceedances of the maximum concentrations identified under condition B27; and (e) describe the contingency measures and the timing of their implementation in the event the management actions are not effective in reducing water quality impacts to an acceptable level.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.7 Operations commenced 12 May 2022. Consultants (Costin Roe Consulting Pty) engaged	Not required until up to the 12 November 2023	Not triggered
TRAFFIC AND ACCESS				
Construction Traffic and Pedestrian Management Plan				
B30	Prior to the commencement of construction, the Applicant must prepare a Construction Traffic and Pedestrian Management Plan (CTPMP) for the development to the satisfaction of the Planning Secretary. The CTPMP must form part of the CEMP required by condition C2 and must: (a) be prepared by a suitably qualified and experienced person(s), (b) be prepared in consultation with TfNSW; (c) detail the measures that are to be implemented to ensure road safety, network efficiency and pedestrian movements during construction; (d) detail heavy vehicle routes, access and parking arrangements; (e) include a Driver Code of Conduct to: i. minimise the impacts of earthworks and construction on the local and regional road network; ii. minimise conflicts with other road users; iii. minimise road traffic noise; and iv. ensure truck drivers use specified routes; (f) include a program to monitor the effectiveness of these measures; and	Construction Environmental Management Plan (CEMP) Rev 4 dated 1/2/21 Downer- Annex E of CEMP – Construction Traffic and Pedestrian Management Plan (CTPMP) Rev 7, 5/02/2021, Element Environment Letter 16/02/2021 DPE-EE re: DPE approval of CTPMP	The CTPMP was prepared and approved by the Department on 16/02/2021 prior to the commencement of construction. CTPMP includes: a. Section 1 b. Section 3.3 c. Section 7, Appendix A and B d. Section 5.3, 7.4, 7.5 and Annex B e. Appendix B f. Section 8 g. Section 7.10	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	(g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.			
B31	The Applicant must: (a) not commence construction until the CTPMP required by condition B30 is approved by the Planning Secretary; and (b) implement the most recent version of the CTPMP approved by the Planning Secretary for the duration of construction.	Construction Environmental Management Plan (CEMP) Rev 5, 5/02/2021, Downer – Annex E Annex E of CEMP – Construction Traffic and Pedestrian Management Plan (CTPMP) Rev 1, 1/02/2021, Element Environment Letter 16/02/2021 DPE-EE re: DPE approval of CTPMP. Construction commenced 25/02/2021 (EE correspondence to DPE dated 12/02/2021)	The CTPMP was prepared and approved by the Department on 16/02/2021 prior to the commencement of construction. Implementation of CTPMP not possible given that the DSRCC is operational	Compliant
Roadworks and Access				
New Access Road – Stage 3				
B32	Prior to the issue of a Subdivision Works Certificate for Stage 3, detailed engineering plans of the new access road, proposed as part of Stage 3 are to be submitted to Council's Traffic and Transport Manager for consideration by the Parramatta Traffic Committee and approval by Council. The construction of the proposed road is to be carried out by the Applicant with all associated costs to be paid for by the Applicant.		The new Access Road – Stage 3 - to the CSIE site is not within the DSRRC. Subdivision works and activities undertaken by the Applicant VE Property Pty Ltd	Not triggered
B33	Prior to the release of the Subdivision Certificate for Stage 3, the Applicant must complete the construction of the access road described in condition B32 to the satisfaction of the relevant roads authority. The Applicant must obtain approval for the works under section 138 of the Roads Act 1993.		As above	Not triggered
B34	Prior to any dedication, the Applicant must ensure that the construction of the road has been completed to the satisfaction of the relevant roads authority.		As above	Not triggered
Parking – DSRRC				
B35	The Applicant must provide sufficient parking facilities on-site for the DSRRC, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public streets.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.3, Table 7.2 and Annex B Site Layout Site inspection on 20/07/23	OEMP under Section 7.3, Table 7.2 and Annex B Site Layout provides sufficient parking facilities on site for DSRRC during operation. Public street parking by site vehicles was not observed during the site inspection on 20/07/23	Compliant
Operating Conditions - DSRRC				
B36	The Applicant must ensure at the DSRRC that: (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004), AS 2890.2:2018 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2018) and AS 2890.6.2009 Parking facilities Off-street parking for people with disabilities (Standards Australia, 2009) (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.3, Table 7.2 and Annex B Site Layout Civil Design Certification 9 Devon Street Rosehill, Costin Roe Consulting, dated 22/2/2022	Costin Roe Consulting's Civil Design Certification dated 22/2/2022 certified that the civil engineering design has been completed in accordance with SSD10459 including Condition B22 and B36 and the City of Parramatta Council Development Engineering Standards. The OEMP and Annex B provides a site layout that addresses the requirements under this condition.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	(c) the development does not result in any vehicles queuing on the public road network; (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site; (e) all vehicles are wholly contained on site before being required to stop; (f) all loading and unloading of materials is carried out on-site; (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.	Civil Design Certification 9 Devon Street Rosehill, Costin Roe Consulting, dated 25/2/2021 Site inspection on 20/07/23 Swept paths Drawing ptc-011 (rev 1, 18/12/20) and ptc-12 (rev 1, 18/12/20) ptc consultants	During the site inspection on 20/07/2023 no site vehicles were observed parked on local roads, vehicles were observed contained on site before stopping, no queuing was observed on the public road, all loading/unloading was observed occurring on site, all trucks were observed with the load covered and on-site turning areas were observed clear of obstacles. Note: WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance under this condition	
HAZARDS AND RISK – DSRRC				
B37	Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with: (a) all relevant Australian Standards; (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and (c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management – technical bulletin (EPA, 1997). In the event of an inconsistency between the requirements of part (a) to (c), the most stringent requirement must prevail to the extent of the inconsistency.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer, Table 7.2 Incident Management Plan, Appendix K of OEMP Downer Manifest Site Plan dated 15/11/2021 with location of DG Depots Site inspection on 20/7/23	OEMP Rev 4 addresses DG storage requirements. Downer Manifest Site Plan dated 15/11/2021 with location of DG Depots (19 depots located on site) Site inspection on 20/07/2023 included some of the DG depots, which were observed all self-bunded, clearly identified in signage and labelled with required DG types.	Compliant
B38	The development must not result in the non-compliance of any existing dangerous goods fuel and gas pipelines in accordance with AS2885 Pipelines – Gas and Liquid Petroleum.		Downer advised that there are no fuel and gas main pipelines through the site, just connection to gas main located outside the site. Title of Lot 6 DP 1271928 does not show fuel and gas easements through the site	Not triggered
ABORIGINAL HERITAGE				
Unexpected Finds Protocol				
B39	If any item or object of Aboriginal heritage significance is identified on site: (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately; (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and (c) Heritage NSW must be contacted immediately.	Construction Environmental Management Plan (CEMP) Rev 4, 1/02/2021, Downer – Annex G Contingency Management Plan and Aboriginal heritage unexpected finds protocol in Section 7.2 of CEMP	Downer advised the auditor no unexpected aboriginal heritage finds were found during construction	Not triggered
B40	Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the National Parks and Wildlife Act 1974.	Construction Environmental Management Plan (CEMP) Rev 5, 5/02/2021, Downer – Annex G Contingency Management Plan	Downer advised the auditor no unexpected aboriginal heritage finds were found during construction	Not triggered
HISTORIC HERITAGE				
Unexpected Finds Protocol				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B41	If any archaeological relics are uncovered during the course of the work, then all works must cease immediately in that area. Unexpected finds must be evaluated and recorded and, if necessary, excavated by a suitably qualified and experienced expert in accordance with the requirements of Heritage NSW.	Construction Environmental Management Plan (CEMP) Rev 4, 1/02/2021, Downer – Annex G Contingency Management Plan and Historic heritage unexpected finds protocol in Section 7.2 of CEMP	Downer advised the auditor no archaeological relics were found during construction	Not triggered
WASTE MANAGEMENT				
Waste Monitoring Program – DSRRC Site				
B42	From the commencement of operation of the DSRRC, the Applicant must implement a Waste Monitoring Program for the development. The program must: (a) be prepared by a suitably qualified and experienced person(s) prior to the commencement of operation; (b) include suitable provision to monitor the: i. quantity, type and source of waste received on site; and ii. quantity, type and quality of the outputs produced on site; and (c) ensure that: i. all waste that is controlled under a tracking system, has the appropriate documentation prior to acceptance at the site; and ii. staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.6 Waste Monitoring, 7.5 Waste Management DPE approval of OEMP Rev 4 in correspondence dated 4/02/2022 Downer on-line waste and product electronic tracking system EPL 21611 Training records (refer to Condition A20) RREs: • Downer Sand and Aggregate Exemption 2022 • Downer bituminous pavement order 2020 • The reclaimed asphalt pavement exemption 2014 Sampling and Testing Procedure Rosehill Reconomy Plant, Downer 15/05/23 Organic Sampling and Testing Procedure Rosehill Reconomy Plant, Downer 15/05/23 Certificate of Analysis 316457, Envirolab, dated 15/02/2023, 2 asphalt samples tested for coal tar SGS Analytical Report SE237868 RO, 17/10/22, & SGS Chain of Custody & Analysis Request, 17/10/22 (asbestos, TRHs, PAHs, Metals) SGS Statement of QA/QC Performance SE237868 RO, 17/10/22 Site inspection on 20/07/2023	A Waste Monitoring Program is incorporated in the OEMP under Section 7.6 and includes: a. Section 7.6 b. i. Section 7.6.1 b. ii. Section 7.6.2 c. i. Section 7.6.1 c. ii. Section 8.3 Note that waste is also regulated by the site EPL 21611. All waste received on site (identified in the OEMP and EPL 21611) and removed from site are weighted on the site weighbridges. All vehicles are directed to the weighbridges upon arrival or departure. Records are kept electronically in Downer's tracking system (which was shown to the auditor during the on site audit) and which provides details for each individual load (date/time, source/customer, source address, type, tonnage). The Sampling and Testing Procedure Rosehill Reconomy Plant, Downer 15/05/23, and Organic Sampling and Testing Procedure Rosehill Reconomy Plant, Downer 15/05/23 provide the processes for identifying and sampling suspected contaminated waste loads. All loads are inspected, and if a load suspected of coal tar or other contamination (e.g. asbestos), the material is quarantined and tested. Analytical results were provided to the auditor. Each arriving load (quarry) has a delivery docket with information about source and type of material Personnel training is provided (refer to Condition A20)	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Downer notification to Campbelltown Council dated 10 May 2022, informing of types of materials not accepted at the DSRRC	Downer sends notification to all customer indicating that the site does not accept material with asbestos, PFAS and ASS (Notification)	
Waste Processing and Storage				
B43	The Applicant must unload all waste received at the site within the designated waste unloading areas.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.6.1 Waste Receivals, Annex B Site Layout Site inspection on 20/07/23	The OEMP identifies designated waste unloading areas and management of waste unloading. During the site inspection on 20/07/2023 waste was observed to be unloaded in designated waste unloading areas	Compliant
B44	All waste processing must be undertaken within designated areas.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.6 Site inspection on 20/07/23	The OEMP identifies designated waste processing areas. During the site inspection waste was observed to be processed in designated areas	Compliant
Waste Management Plan – DSRRC				
B45	Prior to the commencement of operation of the DSRRC, the Applicant must prepare a Waste Management Plan (WMP) for the development to the satisfaction of the Planning Secretary. The WMP must form part of the OEMP required under condition C5. The WMP must: (a) detail the type and quantity of waste to be generated during operation of the development; (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (EPA, 2014); (c) detail the materials to be reused or recycled, either on or off site; and (d) include the Management and Mitigation Measures included in Appendix 2.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.5 Waste Management DPE approval of OEMP Rev 4 and Waste Management Plan in correspondence to Element Environment dated 4/02/2022	Waste Management Plan (WMP) was prepared and includes; a. Section 7.5.3 b. Section 7.5.2, 7.5.4 and 7.5.5 c. Section 7.5.3 d. Section 7.5.2 DPE approved the Waste Management Plan on the 4/02/22 prior to commencement of operation on 12/05/2022	Compliant
B46	The Applicant must: (a) not commence operation until the WMP is approved by the Planning Secretary; (b) implement the most recent version of the WMP approved by the Planning Secretary.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.5 Waste Management DPE approval of OEMP Rev 4 and Waste Management Plan in correspondence to Element Environment dated 4/02/2022 Downer on-line waste and product electronic tracking system EPL 21611 Training records (refer to Condition A20) RREs: Downer Sand and Aggregate Exemption 2022	DPE approved the Waste Management Plan on the 4/02/22 prior to commencement of operation on 12/05/2022 Note that waste at the DSRRC is also regulated by the site EPL 21611. During the site inspection on 20/07/23 it was observed that the WMP was implemented. All waste was received and processed in designated areas, waste quantities and types were monitored and tracked in accordance with WMP (refer to Condition B42 and below), waste removed off site is taken only to facilities licensed to accept such waste (refer to Condition B47), and all incoming waste is subject to inspection and sampling procedures. All waste received on site (identified in the OEMP and EPL 21611) and removed from site are weighted on the site weighbridges. All	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		- Downer bituminous pavement order 2020 - The reclaimed asphalt pavement exemption 2014 Sampling and Testing Procedure Rosehill Reconomy Plant, Downer 15/05/23 Organic Sampling and Testing Procedure Rosehill Reconomy Plant, Downer 15/05/23 Certificate of Analysis 316457, Envirolab, dated 15/02/2023, 2 asphalt samples tested for coal tar SGS Analytical Report SE237868 RO, 17/10/22, & SGS Chain of Custody & Analysis Request, 17/10/22 (asbestos, TRHs, PAHs, Metals) SGS Statement of QA/QC Performance SE237868 RO, 17/10/22 Site inspection on 20/07/23	vehicles are directed to the weighbridges upon arrival or departure. Records are kept electronically in Downer's tracking system (which was shown to the auditor during the on site audit) and which provides details for each individual load (date/time, source/customer, source address, type, tonnage). The Sampling and Testing Procedure Rosehill Reconomy Plant, Downer 15/05/23, and Organic Sampling and Testing Procedure Rosehill Reconomy Plant, Downer 15/05/23 provide the processes for identifying and sampling suspected contaminated waste loads. All loads are inspected, and if a load suspected of coal tar or other contamination (e.g. asbestos), the material is quarantined and tested. Analytical results were provided to the auditor. Personnel training is provided (refer to Condition A20)	
Statutory Requirements				
B47	All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.5 Waste Management Landfill dockets: Docket No. 14435 EPL: 11233 dated 3/07/2023 General Solid Waste CT1 Docket No. 14509 EPL: 11233 dated 4/07/2023 Green Waste Docket No. 14384 EPL: 11233 dated 3/07/2023 Green Waste	Waste leaving the site is tracked as indicated in Condition B42 and send to waste management facilities licensed to accept such waste. Records are kept electronically in Downer's tracking system (which was shown to the auditor during the on site audit). Waste dockets from licensed waste management facilities were shown to the auditor.	Compliant
B48	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.5 Waste Management Landfill dockets: Docket No. 14435 EPL: 11233 dated 3/07/2023 General Solid Waste CT1 Docket No. 14509 EPL: 11233 dated 4/07/2023 Green Waste	Dockets of classified waste material taken off site to a licensed waste management facility were inspected by the auditor. Most waste imported to the site under the EPL is recovered in the production process. The DSRRC generates some General Solid Waste (GSW) from pre-classified GSW (under the EPA (2014) Waste Classification Guidelines) that is brought to the site for resource recovery including a) grit, sediment, litter and gross pollutants collected in, and removed from	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Docket No. 14384 EPL: 11233 dated 3/07/2023 Green Waste	stormwater treatment devices or stormwater management systems, b) street sweepings from classified roads, c) glass.	
B49	The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of the EPA.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 7.5 Waste Management Downer on-line waste and product electronic tracking system (refer to B42) EPL 21611	Downer retains all waste records in its electronic tracking system as discussed in B42. No non-compliances with the EPL are reported in the EPA's website for EPL 21611	Compliant
Pests, Vermin and Priority Weed Management				
B50	The Applicant must: (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area. Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Section 10.1 and Table 7.12 Waste Management Monthly inspections: DA-ZH-FM116.8 Environmental Inspection Checklist Asphalt Plant, 6/07/2023 Flick visit records dated 19/5/23	Flick pest control visit the site every 6 months Monthly environmental inspections done by site personnel	Compliant
VISUAL AMENITY				
Landscaping				
B51	Prior to the commencement of construction, the Applicant must prepare a Landscape Management Plan (LMP) to manage the revegetation and landscaping works on-site, to the satisfaction of the Planning Secretary. The LMP must form part of the OEMP required under condition C5. The LMP must: (a) detail the species to be planted on-site, using only locally native species; (b) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and (c) be consistent with the Applicant's Management and Mitigation Measures at Appendix 2.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Annex E Annex E - Landscape Management Plan (LMP) Rev 3, 2/02/2021, Geoscapes P/L Letter 19/02/2021 DPE-EE re: DPE approval on LMP for DSRRC	The Landscape Management Plan (LMP) was prepared and addressed the requirement in this condition. LMP was approved by the Department on 19/02/2021 prior to the construction (25/02/2021) that includes: a. Section 3 b. Section 4 c. Section 7	Compliant
B52	The Applicant must: (a) not commence construction until the LMP is approved by the Planning Secretary. (b) must implement the most recent version of the LMP approved by the Planning Secretary; and (c) maintain the landscaping and vegetation on the site in accordance with the approved LMP required by condition B51 for the life of the development.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Annex E Annex E - Landscape Management Plan (LMP) Rev 3, 2/02/2021, Geoscapes P/L Letter 19/02/2021 DPE-EE re: DPE approval on LMP	LMP was approved by the Department on 19/02/2021 prior to the construction (25/02/2021) Downer implements the LMP. Plantings along the site's eastern and western boundaries were observed during inspection of 20/7/23The Riparian zone (40m) adjacent to the Duck River has been provided and is fenced from site operations. New plantings were observed in the	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Downer letter to DPE dated 12/02/21 notifying commencement of construction on 25/02/2021 Site inspection on 20/07/23	Riparian zone. The Bioretention system was also observed planted.	
B53	Prior to services installation works commencing within Devon Street, the Applicant is to engage an AQF Level 5 Arborist to prepare a: (a) Tree Protection Plan and Tree Management Specification to incorporate specific tree protection measures to the street trees located along Devon Street in accordance with AS4970-2009 (Protection of Trees on Development Sites); and (b) Tree Removal Plan for any trees proposed to be removed. In the event that street trees are required to be removed on Devon Street, replacement street trees are to be provided in consultation with Council.	Construction Environmental Management Plan (CEMP) Rev 4, 1/02/2021, Downer – Section 7.2 of CEMP	Downer advised that there were no trees at Devon St. Subdivision works. As previously noted, Subdivision works and activities are undertaken by the Applicant VE Property Pty Ltd	Not triggered
Lighting				
B54	The Applicant must ensure the lighting associated with the development: (a) complies with the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 2019); and (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties, the public road network or the riparian corridor / Duck River.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Table 7.2 Site inspection on 20/07/2023 Stantec Electrical Design Certificate, Ref: 48077, dated 19/2/2021 certification of compliance with AS4282:2019	Stantec Electrical Design Certificate, Ref: 48077, dated 19/2/2021 certification of compliance with AS4282:2019 During the site inspection on 20/07/23, all lighting was observed mounted, screened and directed as to not create nuisance to surrounding properties, the public road network or the riparian corridor/Duck River	Compliant
Signage and Fencing				
B55	All signage and fencing must be erected in accordance with the development plans referenced in Appendix 1. Note: This condition does not apply to temporary construction and safety related signage and fencing.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer – Table 7.2	Signage sighted during site inspection and consistent with development plans	Compliant
PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING				
ENVIRONMENTAL MANAGEMENT				
Management Plan Requirements				
C1	Management plans required under this consent must be prepared by a suitably qualified and experienced person/s in accordance with relevant guidelines, and include: (a) details of: i. the relevant statutory requirements (including any relevant approval, licence or lease conditions); ii. any relevant limits or performance measures and criteria; and iii. the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; (b) details of site-specific training to be provided to construction and operation personnel to ensure compliance with the plans; (c) a description of the measures to be implemented to comply with the relevant statutory requirements (including any relevant conditions under SSD-9302), limits, or performance measures and criteria;	Construction Environmental Management Plan (CEMP) Rev 4, 1/02/2021, Downer DPE letter to Element Environment dated 16/02/2021 with approval of CEMP Rev 4	The CEMP include: a. Section 1 of CEMP, Section 1 of the CTPMP (Annex E) and Section 1.2 of LMP (Annex F) i. Section 5 of CEMP, Section 3.2 of CNMP (Annex C), Section 7.2 of CTPMP (Annex E), and Section 8.3 of LMP (Annex F) ii. Section 7.2 CEMP, and Section 3.2 of CNMP (Annex C) iii. Section 7.2 of CEMP, Annex G Section 3.2 of the CNMP (Annex C) and Section 6.3 of the FERP (Annex D)	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	(d) a program to monitor and report on the: i. impacts and environmental performance of the development; and ii. effectiveness of the management measures set out pursuant to paragraph (c) above; (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible; (f) a program to investigate and implement ways to improve the environmental performance of the development over time; (g) a protocol for managing and reporting any: i. incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria); ii. complaint; iii. failure to comply with statutory requirements; and (h) a protocol for periodic review of the plan. Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans		b. Section 8 of CEMP, Section 6.2 of CNMP (Annex C), Section 6.3.3 of FERP (Annex D), and Section 8 of CTPMP (Annex E) c. Section 7.2 of CEMP, Annex G, Section 5 and 6 of CNMP (Annex C), Section 6 of FERP (Annex D), Section 7 and Appendix A and B of CTPMP (Annex E) Section 3, 4, 5 and 6 of the LMP (Annex F) d. i. Section 10 of CEMP, Annex G Section 6 of CNMP, (Annex C) Section 4 and 6 of FERP (Annex D) Section 8 and Appendix B of CTPMP (Annex E) Section 7 of LMP (Annex F) d. ii. Section 10 of CEMP, Annex G, Section 6 of CNMP (Annex C), Section 4 and 6 of FERP (Annex D), Section 8 and Appendix B of CTPMP (Annex E), and Section 7 of LMP (Annex F) e. Annex G, Section 6 of CNMP (Annex C), Section 8 and Appendix B of CTPMP (Annex E) f. Section 10 of CEMP, Section 6 of CNMP (Annex C), and Section 8 and Appendix B of CTPMP (Annex E) g. i. Section 10.3 of CEMP, Section 6 of CNMP (Annex C), and Appendix B of CTPMP (Annex E) g. ii. Section 10.6 of CEMP, Section 6 of CNMP (Annex C) g. iii. Section 10.4 of CEMP, Section 6 of CNMP (Annex C) h. Section 11 of CEMP, Section 6.8 of CNMP (Annex C), Section 6.3.4 of FERP (Annex D), Section 8 of CTPMP (Annex E) and Section 7 of LMP (Annex F)	
C2	The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	Construction Environmental Management Plan (CEMP) Rev 4, 1/02/2021, Downer Letter 16/02/2021 DPE-EE re: DPE approval for the CEMP CEMP Rev 5, 5/02/21, Downer	The CEMP Rev 4 was prepared in accordance with C1 and approved by the Department on 16/02/2021 Note: CEMP in website is Rev 5 dated 05/02/2021, but DEP approved Rev 4 dated 1/02/2021. Downer clarified that Rev 5 is the same as Rev 4 but without the draft label in the Document version history	Compliant
C3	As part of the CEMP required under condition C2 of this consent, the Applicant must include the following: (a) Construction Traffic and Pedestrian Management Plan (see condition B30); (b) Erosion and Sediment Control Plan; (c) Construction Noise Management Plan (see condition B14);	Construction Environmental Management Plan (CEMP) Rev 4, 1/02/2021, Downer	CEMP includes: a. Annex E of CEMP – Construction Traffic and Pedestrian Management Plan (CTPMP) Rev 1, 1/02/2021, Element Environment	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	(d) Community Consultation and Complaints Handling; and (e) Flood Emergency Response (see condition B23)		b. Annex H Construction Erosion and Sediment Control Plan Rev F, 30/11/2020 c. Annex C Construction Noise Management Plan (CNMP) Rev 1 1/02/2021, Element Environment d. Section 9.2, 10.4 e. Annex D Flood Emergency Response Rev 2, 3/02/2021	
C4	The Applicant must: (a) not commence construction of the development until the CEMP is approved by the Planning Secretary and provided to the EPA; and (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.	Construction Environmental Management Plan (CEMP) Rev 4, 1/02/2021, Downer Letter 16/02/2021 DPE-EE re: DPE approval for the CEMP Letter 12/02/2021 EE-DPE re: Notification of Commencement of Construction DSRRC Stage 1 – 25/02/2021	a. Based on records available, the CEMP was approved prior to the commencement of construction. b. Since the construction has already been completed at the time of this audit, it is not possible to fully verify the requirements under this condition, other than document review as detailed in other parts of this table.	Compliant
OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN – DSRRC				
C5	The Applicant must prepare an Operational Environmental Management Plan (OEMP) for the DSRRC site in accordance with the requirements of condition C1, in consultation with the EPA and to the satisfaction of the Planning Secretary.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer DPE letter 4/02/2022 approval of the OEMP (Rev 4, 25 Jan 2022) and associated sub-plans incorporated in the OEMP including Air Quality Management Plan (Condition B8), Driver Code of Conduct (Condition B18), Flood Emergency Response Plan (Condition B23), Surface Water Management Plan (Condition B27) and Waste Management Plan (Condition B45) OEMP Rev 5, 14/02/2023	OEMP, Rev 4, 25/01/22 for the DSRRC prepared in consultation with the EPA and DPE (with evidence of consultation provided in Section 2.3 of OEMP) and approved by DPE in correspondence dated 4/02/2022 Downer has updated the OEMP in a new revision (Rev 5) dated 14/02/2023. Downer has not submitted a copy of OEMP Rev 5 to DPE. Downer advised that its EMS requires annual updates of management plans. Downer advised that the OEMP Rev 5 updated contact details, Downer standards, addresses, emergency contact details, but mitigation measures remain as per OEMP Rev 4. Observation: A new version of the OEMP (Rev 5, dated 14/02/2023, available in the project website) has not been submitted to DPE for approval. Recommendation: Submit updated versions of the OEMP to DPE in accordance with Condition C5 and C8.	Compliant
C6	As part of the OEMP required under condition C5 of this consent, the Applicant must include the following: (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental (b) management of the development; (c) describe the procedures that would be implemented to:	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer DPE letter 4/02/2022 approval of the OEMP (Rev 4, 25 Jan 2022)	The OEMP includes: a. Section 5, 6.2, 10.4.1 b. the OEMP c. i. Section 9 and 10.6	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	i. keep the local community and relevant agencies informed about the operation and environmental performance of the development; ii. receive, handle, respond to, and record complaints; iv. resolve any disputes that may arise; v. respond to any non-compliance; vi. respond to emergencies; and (d) describe: i. how the DSRRC will ensure compliance with any relevant statutory obligations; ii. the processes involved for each aspect of operation including processes for each of the individual facilities; iii. how each of the facilities interrelate and how they will be managed in concert with one another during operation; and iv. how the operation will be managed in concert with any relevant conditions under SSD-9302 and any other relevant planning or licensing conditions related to the premises; (e) include the following environmental management plans or codes: i. Air Quality (see condition B8); ii. Driver Code of Conduct (see condition B18); iii. Waste (see condition B45); iv. Flood Emergency Response (see condition B23); and v. Water (see condition B27).		c. ii. Section 10.4 c. iii. Section 10.4.3 c. iv. Section 10.3 c. v. Section 10.3.2, 10.3.3 and Annex K d. i. This OEMP d. ii. Section 6 and Annex I d. iii. Section 6, 7.4.4 and 7.4.5 d. iv. Section 2.2 e. i. Section 7.4 e. ii. Annex D e. iii. Section 7.5 and 7.6 e. iv. Annex C e. v. Section 7.7	
C7	The Applicant must: (a) not commence operation until the OEMP is approved by the Planning Secretary; and (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer DPE letter 4/02/2022 approval of the OEMP (Rev 4, 25 Jan 2022) Downer letter to DPE dated 2/05/2022 notifying the commencement of operation on 12/05/2022 Site inspection on 20/07/23	The OEMP Rev 4 was approved on 4/02/2022 prior to the commencement of operation on 12/05/2022 Site inspection no 20/07/23 and document and records review during the audit indicate that the OEMP is implemented	Compliant
REVISION OF STRATEGIES, PLANS AND PROGRAMS				
C8	Within three months of: (a) the submission of a Compliance Report under condition C14; (b) the submission of an incident report under condition C10; (c) the submission of an Independent Audit under condition C16; (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(b) which requires a review,		Not triggered. Compliance Report under preparation (drafted) but not due at the time of the on-site audit. No incidents reported No directions from the DPE reported Mod 1 19/11/2021) is not applicable to the DSRRC and therefore it did not trigger a revision of the management plans.	Not triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing that a review is being carried out.			
C9	If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review. Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.	Operational Environmental Management Plan (OEMP) Rev 4, 25/01/2022, Downer DPE letter 4/02/2022 approval of the OEMP (Rev 4, 25 Jan 2022) and associated sub-plans incorporated in the OEMP including Air Quality Management Plan (Condition B8), Driver Code of Conduct (Condition B18), Flood Emergency Response Plan (Condition B23), Surface Water Management Plan (Condition B27) and Waste Management Plan (Condition B45) OEMP Rev 5, 14/02/2023	No revisions of strategies, plans and programs have been submitted to the Department. Mod 1 19/11/2021) is not applicable to the DSRRC and therefore it did not trigger a revision of the management plans. The auditee advised that it has not received any written directions from the Planning Secretary. Downer has updated the OEMP in a new revision (Rev 5) dated 14/02/2023. Downer has not submitted a copy of OEMP Rev 5 to DPE. Downer advised that its EMS requires annual updates of management plans. Downer advised that the OEMP Rev 5 updated contact details, Downer standards, addresses, emergency contact details, but mitigation measures remain as per OEMP Rev 4. The auditor review of the OEMP indicates that Rev 5 appears to contain the same mitigation as Rev 5. Refer to Observation under C5.	Not triggered
REPORTING AND AUDITING				
Incident Notification, Reporting and Response				
C10	The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 3.	Site interviews Review of project records	No notifiable incidents have been reported since commencement of operations	Compliant
Non-Compliance Notification				
C11	The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.		Non-compliance: The non-compliance with Condition C16 regarding the timing of the first independent audit was not reported to the Planning Secretary within 7 days of becoming aware of the non-compliance Recommendation: Retrospectively notify the Department of the non-compliance with Condition C16	Non-compliant
C12	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.			Not triggered
C13	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.			Not triggered
Compliance Reporting - DSRRC				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C14	Within three months after the first year of commencement of operation of the DSRRC, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also: (a) identify any trends in the monitoring data over the life of the development; (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (c) describe what measures will be implemented over the next year to improve the environmental performance of the development		Compliance Report due no later than 12 August 2023 (operations commenced 12 May 2022)	Not triggered
C15	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.			Not triggered
Independent Audit - DSRRC				
C16	Within one year of the commencement of operations of the DSRRC, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must: (a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020) (b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and (c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary)		Non-Compliance: The First Independent Audit was commissioned more than a year after commencement of operations on the 12/5/22 Recommendation: in future audits, ensure that the Independent Environmental Audit is undertaken within the timeframes of C16	Non-compliant
C17	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2020), the Applicant must: (a) review and respond to each Independent Audit Report prepared under condition C16 of this consent; (b) submit the response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations; (c) implement the recommendations to the satisfaction of the Planning Secretary; and (d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.		This is the first independent audit.	Not triggered
Monitoring and Environmental Audits				
C18	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing. Note: For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.	Review of records under this audit. Interview with auditees Site inspection on 20/07/2023	Division 9.4 of Part 9 of the EP&A Act relates to (among other things) the need to be accurate, true (not misleading), properly conducted (approved methodology, calibrated etc.), and with records retained. No notifiable incidents have occurred during the audited period. Monitoring has been undertaken in accordance with the consent as reported elsewhere in this document. A number of non-compliances have been identified in this audit, however they are of an administrative nature.	Compliant

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
ACCESS TO INFORMATION				
C19	At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: i. the documents referred to in condition A2 of this consent; ii. all current statutory approvals for the development; iii. all approved strategies, plans and programs required under the conditions of this consent; iv. the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; v. regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent; vi. a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; vii. a summary of the current stage and progress of the development; viii. contact details to enquire about the development or to make a complaint; ix. a complaints register, updated monthly; x. the Compliance Report of the development; xi. audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report; xii. any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.	Project website: https://www.downergroup.com/downer-rosehill-sustainable-resource-centre	Non-Compliance: Some of the DSRRC's current statutory approvals are not uploaded in the project website (e.g. EPL, TWA) Recommendation: Upload in the project website all current statutory approvals of the DSRRC	Non-compliant

APPENDIX B – PLANNING SECRETARY AGREEMENT OF INDEPENDENT AUDITORS

Department of Planning and Environment

Mr Mark Roberts
Senior Environmental Scientist
Element Environment
25 Kingfisher Way
WARRIEWOOD NSW 2102

25/06/2023

Dear Mr Roberts

**Central Sydney Industrial Estate and DSRR (SSD-10459)
First Independent Environmental Auditor Nomination Request**

I refer to your request (SSD-10459-PA-32) for the Planning Secretary's approval of suitably qualified persons to prepare and undertake the first Independent Environmental Audit (IEA) for the Central Sydney Industrial Estate and Downer Sustainable Road Resource Centre (project), SSD-10459 as modified (consent).

The Department of Planning and Environment (Department) has reviewed the nominations and information you have provided and is satisfied that these experts are suitably qualified and experienced. Consequently, I can advise that the Secretary approves the appointment of the nominated audit team below to prepare and undertake the first IEA and report.

In accordance with Condition C16 of the consent and the *Independent Audit Post Approval Requirements (2020) (IAPAR)*, the Secretary has agreed to the following audit team from Wolfpeak:

- Ana Maria Munoz – lead auditor,
- Derek Low – auditor; and
- Ricardo Prieto-Curie – alternate auditor.

Please ensure this correspondence is appended to the IEA report.

The Independent Audit must be prepared, undertaken and finalised in accordance with Conditions C16 and C17 of the consent, and the IAPAR. Failure to meet these requirements will require revision and resubmission.

Notwithstanding the agreement for the above-listed audit team for this first IEA, each subsequent IEA under the consent and IAPAR requires a request for the re-endorsement of the existing audit team, or a request for agreement to a revised audit team to be submitted to the Department for consideration of the Secretary. Each request is reviewed and depending on the complexity of the project, the suitability of the proposed team will be considered.

Should you wish to discuss the matter further, please contact Astrid Christensen, Compliance Officer, on (02) 9274 6170 or email compliance@planning.nsw.gov.au

Department of Planning and Environment



Yours sincerely



Rob Sherry
Team Leader Compliance - Government Projects
Compliance

As nominee of the Planning Secretary

APPENDIX D – CONSULTATION RECORDS

From: Ricardo Prieto-Curiel <rprietocuriel@wolfpeak.com.au>
Sent: Friday, 7 July 2023 10:24 AM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Cc: Dale Thomas <Dale.Thomas1@Downergroup.com>; Colin Biggs <Colin.Biggs@Downergroup.com>; Ana Maria Munoz Acosta <ammunoz@wolfpeak.com.au>;
paul.sherry@downergroup.com
Subject: Downer Sustainable Road Resource Centre (DSRRC) (SSD-10459) - Independent Environmental Audit No. 1 (operation)

Dear Sir/Madam,

I am one of the Department of Planning and Environment (the Department) approved independent auditors on SSD-10459 (the Central Sydney Industrial Estate and Downer Sustainable Road Resource Centre (DSRRC) or the Project).

We are currently preparing to undertake the first independent environmental audit (IEA) of the Project's operations. The audit is required to be conducted in accordance with SSD-10459 Schedule 2 Condition C16, and the Department's 2020 *Independent Audits Post Approval Requirements* (or IAPAR).

The consent, as modified (MOD1), is available at the following link: <https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSO-10459-MOD-1%2120211121T14054.786%20GMT>

The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Assess-and-regulate/About-Compliance/independent-audit-post-approval-requirements-2020-05-19.pdf>

In accordance with Section 3.2 of the IAPAR, I am consulting with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request the Department to confirm:

- If it has any concerns/key issues it would like examined, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR, or
- If it recommends that other parties or agencies are to be consulted. If so, I request that the Department identify those parties.

We would appreciate your early response on this matter to allow us to plan for the on-site component of the audit and any additional consultation that may be requested by the Department.

Please let me know if you have any questions. I look forward to hearing from you.

Kind regards,

Ricardo

Ricardo Prieto-Curiel | Principal Environmental and Planning Specialist

From: Astrid Christensen <astrid.christensen@planning.nsw.gov.au>
Sent: Friday, July 7, 2023 12:21 PM
To: Ricardo Prieto-Curiel <rprietocuriel@wolfpeak.com.au>
Cc: Dale.Thomas1@Downergroup.com; Colin.Biggs@Downergroup.com; Ana Maria Munoz Acosta <ammunoz@wolfpeak.com.au>; paul.sherry@downergroup.com
Subject: RE: Downer Sustainable Road Resource Centre (DSRRC) (SSD-10459) - Independent Road Environmental Audit No. 1 (operation)

Good afternoon Ricardo,

Thank you for your email seeking consultation into the first IEA for Downer Sustainable Road Resource Centre (DSRRC) (SSD-10459).

The Department has no comment in relation to the proposed scope that is not captured by the Consent, including Schedule 2 Condition C16 and the Department's Independent Audit Post Approval Requirements (May 2020).

The Department does request that you also consult with the City of Parramatta Council.

Please annex a copy of this email to the final report as evidence of consultation.

Kind regards,

Astrid Christensen
Compliance Officer

Compliance | Department of Planning and Environment
P (02) 9274 6170 | E Astrid.Christensen@planning.nsw.gov.au |
4PSQ, 12 Darcy Street, Parramatta, NSW, 2150
www.dpie.nsw.gov.au



The Department of Planning and Environment 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: Ricardo Prieto-Curiel <rprietocuriel@wolfpeak.com.au>
Sent: Friday, 7 July 2023 10:24 AM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Cc: Dale.Thomas1@Downergroup.com; Colin.Biggs@Downergroup.com; Ana Maria Munoz Acosta <ammunoz@wolfpeak.com.au>; paul.sherry@downergroup.com
Subject: Downer Sustainable Road Resource Centre (DSRRC) (SSD-10459) - Independent Environmental Audit No. 1 (operation)

From: Paul Sartor <PSartor@cityofparramatta.nsw.gov.au>
Sent: Wednesday, July 19, 2023 11:37 AM
To: Ricardo Prieto-Curiel <rprietocuriel@wolfpeak.com.au>
Cc: Dale Thomas <Dale.Thomas1@Downergroup.com>; Colin Biggs <Colin.Biggs@Downergroup.com>; Paul Sherry <Paul.Sherry@downergroup.com>; Ana Maria Munoz Acosta <ammunoz@wolfpeak.com.au>
Subject: RE: Downer Sustainable Road Resource Centre (DSRRC) (SSD-10459) - Independent Environmental Audit No. 1 (operation)

Good Morning Ricardo,

Council has no further comment for this matter beyond that raised by Department of Planning and Environment

Thank you for your referral.

Kind Regards,

Paul Sartor
Senior Development Assessment Officer | City Significant Development

(02) 9806 5740

City of Parramatta
126 Church Street, Parramatta NSW 2150
PO Box 32, Parramatta, NSW 2124
cityofparramatta.nsw.gov.au



From: Ricardo Prieto-Curiel <rprietocuriel@wolfpeak.com.au>
Sent: Friday, 7 July 2023 3:53 PM
To: PCC Council <Council@cityofparramatta.nsw.gov.au>
Cc: Dale Thomas <Dale.Thomas1@Downergroup.com>; Colin Biggs <Colin.Biggs@Downergroup.com>; Paul Sherry <Paul.Sherry@downergroup.com>; Ana Maria Munoz Acosta <ammunoz@wolfpeak.com.au>
Subject: Downer Sustainable Road Resource Centre (DSRRC) (SSD-10459) - Independent Environmental Audit No. 1 (operation)

***[EXTERNAL EMAIL] Stop and think before opening attachments, clicking on links or responding. ***

Dear Sir/Madam,

I am one of the Department of Planning and Environment (the Department) approved independent auditors on SSD-10459 (the Central Sydney Industrial Estate and Downer Sustainable Road Resource Centre (DSRRC) or the Project).

We are currently preparing to undertake the first independent environmental audit (IEA) of the Project's operations. The audit is required to be conducted in accordance with SSD-10459 Schedule 2 Condition C16, and the Department's 2020 *Independent Audits Post Approval Requirements* (or IAPAR).

The consent, as modified (MOD1), is available at the following link: <https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10459-MOD-1%2120211121T214054.786%20GMT>

The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Assess-and-regulate/About-Compliance/independent-audit-post-approval-requirements-2020-05-19.pdf>

In accordance with Section 3.2 of the IAPAR, we have consulted with the Department on the scope of the audit and seeking confirmation as to whether other parties or agencies needed to be consulted. In its response, the Department has requested that we consult with the City of Parramatta Council on the scope of the audit (refer to the email from the Department below). We kindly request your input on any key issues relating to post-approval requirements and compliance, or concerns in relation to the project activities that are not already called up by the scope in Section 3.3 of the IAPAR. As required under Section 3.3 of the IAPAR, the audit already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth

We would appreciate your early response on this matter to allow us to plan for the on-site component of the audit and further progress the audit activities.

Please let me know if you have any questions. I look forward to hearing from you.

Ricardo Prieto-Curiel | Principal Environmental and Planning Specialist



E: rprietocuriel@wolfpeak.com.au
M: 0488 220 642
P: 1800 979 716
A: Suite 2, Level 10, 82 Elizabeth Street, Sydney, NSW, 2000



From: Ricardo Prieto-Curiel
Sent: Thursday, July 13, 2023 12:42 PM
To: council@cityofparramatta.nsw.gov.au
Cc: Dale Thomas <Dale.Thomas1@Downergroup.com>; Colin Biggs <Colin.Biggs@Downergroup.com>; Paul Sherry <Paul.Sherry@downergroup.com>
Subject: Downer Sustainable Road Resource Centre (DSRRC) (SSD-10459) - Independent Environmental Audit No. 1 (operation)

Dear Sir/Madam,

Further to my email on Friday 7/7/23, please note that the on-site audit activities at the DSRRC will be undertaken on Thursday 20/7/23. As indicated on the 7/7/23, the Department of Planning and Environment (the Department) has requested that we consult with the **City of Parramatta Council** on the scope of the audit (refer to the email from the Department below). We kindly request your input on any key issues relating to post-approval requirements and compliance, or concerns in relation to the project activities that are not already called up by the scope in Section 3.3 of the Department's 2020 Independent Audits Post Approval Requirements (IAPAR). As required under Section 3.3 of the IAPAR, the audit already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. Your early response on this matter would be appreciated.

Kind regards

Ricardo,

Ricardo Prieto-Curiel | Principal Environmental and Planning Specialist



E: rprietocuriel@wolfpeak.com.au
M: 0488 220 642
P: 1800 979 716
A: Suite 2, Level 10, 82 Elizabeth Street, Sydney, NSW, 2000



APPENDIX E – MEETING SIGN ON SHEET

INDEPENDENT AUDIT MEETING ATTENDANCE RECORD

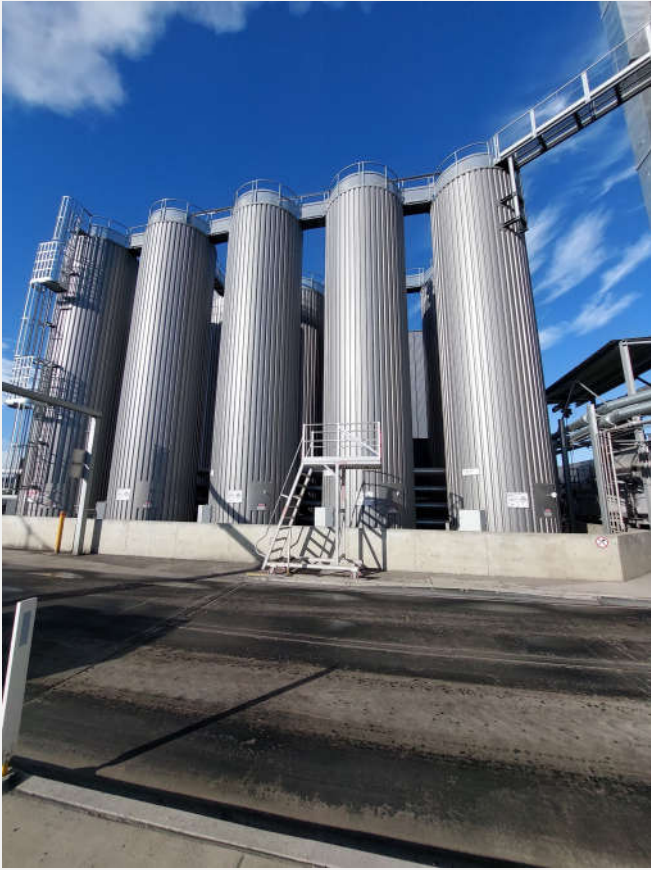
PROJECT (NAME AND APPROVAL NUMBER)	Central Sydney Industrial Estate and Downer Sustainable Road Resource Centre – SSD-10459			
LOCATION:				
DATE/TIME (Opening Meeting):	20/7/23 8:30	DATE/TIME (Closing Meeting):	20/7/23 4:15	
Lead Auditor:	Ricardo Prieto-Curiel	Audit Scope:		
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE	
			Opening Meeting	Closing Meeting
RICARDO PRIETO-CURIEL	LEAD AUDITOR	WOLFPEAK	R. Prieto-Curiel	R. Prieto-Curiel
BULENT CESURCAN	TECHNICAL/LAB MANAGER	DOWNER	B. Cesurcan	B. Cesurcan
Gordon Malisky	Assistant Production Manager	Downer	G. Malisky	G. Malisky
Matthew Wade	Deconomy NSW Manager	Downer	M. Wade	M. Wade
Paul Sherry	Production Manager	Downer	P. Sherry	P. Sherry
Colin Biggs	Environmental Advisor	Downer	C. Biggs	C. Biggs

APPENDIX F – SITE INSPECTION PHOTOGRAPHS

No.	Comment	Photograph
1	Site identification signage and boundary fencing	
2	Access Weighbridge (vehicles coming in)	

No.	Comment	Photograph
3	Vehicular access and exit	
4	Asphalt Plant	

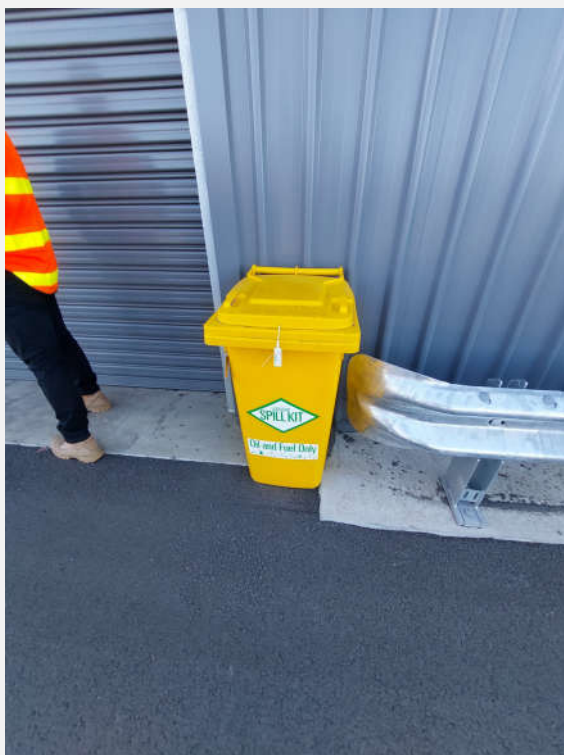
No.	Comment	Photograph
5	Vertical bitumen tank farm, Emulsion additive and liquid additive store (with truck delivering product) and Vertical aggregate tanker (from right to left)	 A photograph showing a large industrial facility. On the left is a tall, grey, vertical cylindrical tank. To its right is a smaller building. A white truck with a blue trailer is parked in front of the building. In the background, there is a complex of pipes and structures, with a plume of white smoke rising from one of the towers. The sky is blue with some clouds. The foreground is a paved area with shadows of people taking the photo.
6	Truck Parking area	 A photograph of a truck parking area. In the background, there are several large, white, horizontal cylindrical storage tanks. A small white truck is parked in the middle ground. The foreground is a paved area with shadows of people taking the photo. The sky is blue with some clouds.

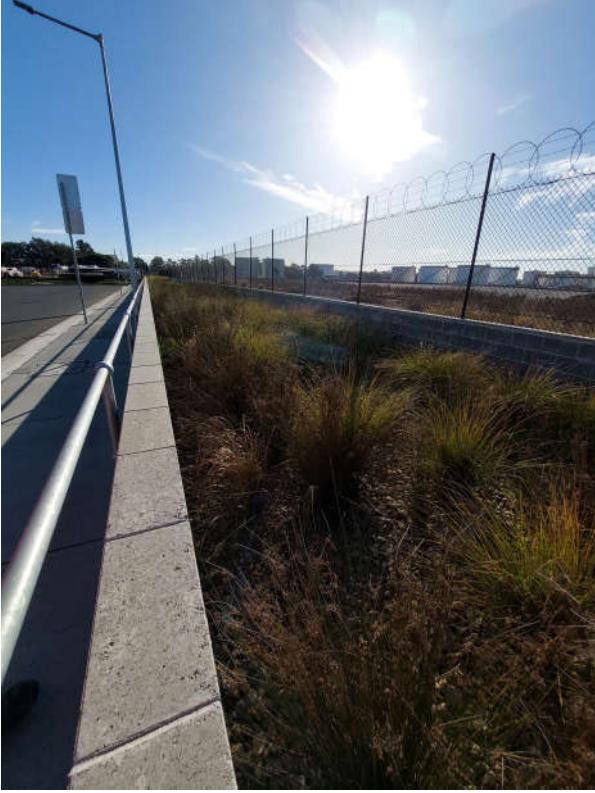
No.	Comment	Photograph
7	Bitumen Tank Farm	
8	Reconomy Plant	

No.	Comment	Photograph
9	Unprocessed Recycled Asphalt Pavement stockpiles	
10	Recycled Asphalt Plant building and weighbridge (vehicles out)	

No.	Comment	Photograph
11	Recycled Asphalt Plant (internal)	
12	Equipment storage	

No.	Comment	Photograph
13	Water Cart	
14	Dangerous Goods Depot	

No.	Comment	Photograph												
15	Spill kit													
16	EPA Radiation Management Licence details and Radioactive equipment depot	 <table><tr><th colspan="2">EPA Radiation Management Licence details</th></tr><tr><td>License name</td><td>Daniel Hogan (Technical and Laboratory Manager)</td></tr><tr><td>License Number</td><td>5081302</td></tr><tr><td>License contact number</td><td>0437 613 285</td></tr><tr><td>24 hr emergency contact number</td><td>1300 366 838</td></tr><tr><td>Radiation safety officer contact</td><td>0437 613 286</td></tr></table> In the event of emergency contact 000	EPA Radiation Management Licence details		License name	Daniel Hogan (Technical and Laboratory Manager)	License Number	5081302	License contact number	0437 613 285	24 hr emergency contact number	1300 366 838	Radiation safety officer contact	0437 613 286
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No.	Comment	Photograph
17	Western boundary landscaping	
18	Eastern boundary swale and landscaping	

No.	Comment	Photograph
19	Bioretention Basin	
20	Bioretention Basin and Outlet at southern end	

No.	Comment	Photograph
21	Duck River protected riparian zone (40m buffer) – existing vegetation and plantings	

APPENDIX G – DECLARATION FORM

Declaration of Independence - Auditor



Project Name:	Downer Sustainable Road Resource Centre IEA
Consent Number:	SSD-10459
Description of Project:	Operation of a combined asphalt plant, reclaimed asphalt pavement (RAP) facility, bitumen products plant and a road waste sweepings recycling facility (Reconomy) on proposed Lot 6.
Project Address:	Lot 100 DP 1168951 9 Devon Street, Rosehill
Proponent:	VE Property Pty Ltd (Applicant of SSD-10459) / Downer (construction and operation of the DSRRC)
Title of Audit:	Downer Sustainable Resource Road Centre
Date:	2 August 2023

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:

- the audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Post Approval Requirements (Department 2020);
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- 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;
- 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;
- 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
- 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:

- 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 a corporation, \$1 million and for an individual, \$250,000; and
- The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor:	Ricardo Prieto-Curiel
Signature:	
Qualification:	Lead Environmental Auditor (Exemplar Global – Certificate #15160) Registered Environmental Assessment Practitioner (REAP) (46189) Bachelor of Biological Sciences – Autonomous University of Madrid Spain 1986 <u>Masters in Environmental</u> Toxicology – UTS Sydney 1997
Company:	WolfPeak Pty Ltd

Attachment 2:

Downer's Response and Corrective Action Plan

Response and Corrective Action Plan

Condition Number	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proposed Action / Action Taken / Response	Proposed Action Due Date
C11	The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.	The non-compliance with Condition C16 regarding the timing of the first independent audit was not reported to the Planning Secretary within 7 days of becoming aware of the non-compliance	Retrospectively notify the Department of the non-compliance with Condition C16	Action as per Independent Audit recommendation.	Completed
C16	Within one year of the commencement of operations of the DSRRC, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must: (a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020) (b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and (c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary).	The First Independent Audit was commissioned more than a year after commencement of operations on the 12/5/23	In future audits, ensure that the Independent Environmental Audit is undertaken within the timeframes of C16	N/A – Action completed	Completed

At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must:

- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - i. the documents referred to in condition A2 of this consent;
 - ii. all current statutory approvals for the development;
 - iii. all approved strategies, plans and programs required under the conditions of this consent;
 - iv. the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - v. regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - vi. a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - vii. a summary of the current stage and progress of the development;
 - viii. contact details to enquire about the development or to make a complaint;
 - ix. a complaints register, updated monthly;
 - x. the Compliance Report of the development;
 - xi. audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
 - xii. any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

Some of the DSRRC's current statutory approvals are not uploaded in the project website (e.g. EPL, TWA)

Upload in the project website all current statutory approvals of the DSRRC

Action as per Independent Audit recommendation.

Completed

