

Dicker Data Warehouse at 238-258 Captain Cook Drive Kurnell Independent Environmental Audit



Assessment of Dicker Data Environmental Management System in Compliance against the SSD 8662 Conditions of Consent

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This report has been prepared and reviewed in accordance with our IBOS Management system.

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1. Executive Summary

Dicker Data Ltd engaged AQUAS to undertake the independent environmental audit to assess the compliance of Dicker Data Warehouse Development and Distribution Centre at 238-258 Captain Cook Drive, Kurnell, NSW against the requirements of State Significant Development (SSD) 8662 Mod-1 (Condition C18) for the Operational phase.

Construction of the Stage 1 development is now complete, and the warehouse commenced its full operation on the 5 October 2021. Overall, the project is generally compliant with the conditions of Development Consent SSD 8662-Mod-1.

This audit covers the review of the operational requirements of SSD 8662 Mod-1 covering the Stage 1 Development only with site inspection conducted on 25 March 2022 and an online review of documents and records on 28 March 2022.

The following key strengths were noted during this audit:

- The following mitigation measures as per Operational Environmental Management Plan (OEMP) were implemented, with no issues raised during the inspection that was conducted by the auditor on 25 March 2022 (**Appendix F. Site Inspection Photos**):
 - Stormwater management (swale maintenance and overflow discharge was managed during the heavy rainfall);
 - Wastes segregation was well implemented;
 - Traffic management i.e., road signage installed and maintained, no queuing of heavy vehicle on public road, staff parking were generously available, with a clear access/egress traffic flow;
 - Sustainability requirements i.e., solar panels, electric car charging bays and rainwater harvesting were working effectively and maintained;
 - Protection of Aboriginal pad area;
 - Fencing and security around the site;
 - Fauna management i.e., sightings of turtle, snakes and possum at the swale were recorded and handled well;
 - Weed and pest (vermin traps available) control management; and
 - Warehouse plant and equipment were maintained and in good working condition.
- There were no complaints or environmental incidents reported to date.
- Hard copies of the OEMP and subplans were readily available and accessible for all employees onsite
- Active use of noticeboard for safety and environmental concerns at the warehouse kitchen area was noted.

Previous Audit Findings

The following non-compliances that were recorded during the previous (prior to operation) audit were left open until the letter of approval from Department of Planning and Environment (DPE) was received:

- NC-01 As per condition A2 (d) the proponent must be in compliance with the conditions of this consent, non-compliances were raised against B8A, B18A and B30A, therefore, a non-compliance to this condition A2 (d) was also raised.
- Status > OPEN.** Once the conditions B8A, B18A and B30A are addressed this issue will also be addressed.
- NC-02 As per condition B8A, the Applicant must update the Road Safety Audit within three months of approval of SSD-8662-Mod-1, to the satisfaction of the Planning Secretary and in consultation with TfNSW.

Status > OPEN. The Road Safety Audit was updated and submitted to the Department for approval.

NC-03 As per condition B18A, the Applicant must update the Stormwater Monitoring Program within six months of approval of SSD-8662-Mod-1, to the satisfaction of the Planning Secretary and be undertaken in consultation with the EESG and NPWS.

Status > OPEN. The Stormwater Monitoring Program (SMP) has been developed and submitted to EESG and NPWS. It has been two months since Dicker Data provided the program to EESG and NPWS. Dicker Data is waiting for EESG and NPWS comments/no comments response and this will be submitted to DPE for approval.

NC-04 As per condition B30A, the Applicant must update the Biodiversity Management Plan within six months of approval of SSD-8662-Mod-1, to the satisfaction of the Planning Secretary and in consultation with EESG.

Status > OPEN. The Biodiversity Management Plan (BMP) has been reviewed by the Ecologist (Biosis) and Dicker Data is waiting for the final report to be submitted to EESG for consultation and to DPE for approval.

Summary of Audit Findings

Based on the conducted independent environmental audit which comprised of document and records review, interview with key personnel and site inspection, there were a total 145 Conditions of Consent that were reviewed during this audit.

The four non-compliances identified during the previous audit remain open and are still recorded as non-compliances during this audit.

The following are recommended for Dicker Data to maintain and fully comply with the operational requirements of the SSD-8662-Mod-1 conditions and IAPAR 2020:

- Address the open non-compliances raised during the previous audit against A2, B8A, B18A and B30A; and
- Ensure that the Operational Compliance Report will be developed and submitted to DPE at no greater than 52 weeks from the date of commencement of operation.

2. Introduction

2.1 Background

Construction of Stage 1 of the Dicker Data Warehouse and Distribution Centre at 238-258 Captain Cook Drive, Kurnell, NSW was completed by September 2021, following the finalisation of finishing works, and the establishment, testing and commissioning of the warehouse and office equipment. A written Notification of Commencement of Operation was provided on 7 September 2021 to the Department as early October 2021, and the warehouse commenced its full operation on the 5 October 2021.

Overall, the project is generally compliant with the conditions of Development Consent SSD 8662-Mod-1.

Dicker Data Ltd engaged AQUAS to undertake the independent environmental audit in compliance with the SSD 8662 Condition C18, which covered the review of the operational requirements of SSD 8662 Mod-1 for Stage 1 of the Development only.

Stage 2 will be constructed under a new modification (SSD 8662 Mod-2). As notification of the commencement of construction was made on the 25 February 2022 and is still waiting on DPE approval, the scope of this audit was conducted in accordance with the operational requirements as per SSD 8662 Mod-1.

2.2 Project Details

Project Name	Dicker Data Warehouse Development
Project Application Number	SSD 8662 Mod-1
Project Address	238-258 Captain Cook Drive, Kurnell, NSW
Project Phase	Operational
Project Activity Summary	The warehouse commenced its full operation 5 October 2021. The following site activities during this audit were: <ul style="list-style-type: none"> - Warehouse in full operation

2.3 Audit Team

Details of AQUAS independent environmental auditor that was approved by DPE for this audit are as follows:

Name	Company	Position	Certification
Annabelle Tungol	AQUAS	Lead Environmental Auditor	Exemplar Global Lead Environmental Auditor – Certificate No. 119536

Endorsement by DPE of the Lead Auditor was granted on 8 September 2021 prior to the conduct of this audit, refer to **Appendix A**. Independent Audit declaration forms are attached as **Appendix B**.

Annabelle was assisted by Barbara Pater as SAI Global Environmental Auditor.

2.4 Audit Objectives

The objective of this audit was to undertake the independent environmental in compliance with the Development Consent Condition SSD 8662 C18, focused on operational requirements of the Stage 1 Warehouse Development, which must be carried out in accordance with:

- The requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (IAPAR 2020) as per the advisory letter from DPE dated 10 June 2020 – Compliance Reporting and Independent Environmental Audit Post Approval Requirements (PAR's) adaptation to the revised PAR 2020 requirements. A copy of this letter is included as **Appendix E**.

2.5 Audit Scope

The scope of this audit comprised of the following:

- Review of the operational compliance requirements of the Development Consent SDD 8662 Mod-1, Stage 1 Warehouse
- Review of implementation of the permanent environmental controls including stormwater management, waste management, traffic, sustainability requirements (solar panels and electric car charging bays), parking requirements, rainwater harvesting, protection of Aboriginal pad area, fencing and security
- Site inspection, conducted on 25 March 2022 for review of environmental site controls
- Review of environmental records on 28 March 2022 – operational requirements
- Interview of site personnel onsite, and
- Consultation with stakeholders.

2.6 Audit Period

The independent environmental audit carried out by AQUAS on the development covers the site inspection, review of environmental documentation and records for the period of October 2021 (commencement of operation) to March 2022.

It should be noted that this report is based on the result of sampling and supplied documentation/records, as well as site activities on the audit dates 25 & 28 March 2022.

3. Audit Methodology

3.1 Approval of Auditors

A letter from the Planning Secretary agreeing to the independent auditor is attached as **Appendix A**.

3.2 Audit scope development

AQUAS developed the audit scope and a checklist based on the Project Development Consent Requirements Application No. SSD 8662 Mod-1. Refer to **Appendix C** of this report.

3.3 Audit Process

3.3.1 Opening Meeting

An opening meeting was held at 10:00am on the 25 March 2022 with Dicker Data project personnel (Brad Begley) and AQUAS auditors (Annabelle Tungol and Barbara Pater).

Key items were discussed, including:

- Confirmation of the purpose and scope of the audit
- Overview of the Project and status of the works
- Occurrence of Environmental incidents

- Overview of the audit process in accordance with the proposed Audit Program

3.3.2 Conduct of Audit

Audit activities included the following:

- Review the project documentation (Operational Environmental Management Plan and sub-plans) to verify compliance with the Development Consent Conditions SSD 8662 Mod-1
- Conduct of a site walk on 25 March 2022 to review implementation of mitigation measures and environmental controls during operation
- Conduct of the audit following the checklist that was prepared based on the Development Consent Conditions, by interviews with project personnel and review of records provided as evidence of compliance on 28 March 2022.

3.3.3 Closing Meeting

The closing meeting was held at 2:00 pm on 28 March 2022 with Dicker Data representative (Brad Begley) and AQUAS (Annabelle Tungol and Barbara Pater). General feedback and the findings of the audit were discussed during the closing meeting.

AQUAS Lead Auditor acknowledged the cooperation, openness, and hospitality of Dicker Data staff during the conduct of this audit and the site inspection conducted.

3.4 Interviewed Personnel

Name and position of persons interviewed:

Name	Organisation	Position
Brad Begley	Dicker Data Ltd	Property Manager

3.5 Details of Site Inspection

The site inspection was conducted on 25 March 2022, with AQUAS auditors and Dicker Data representative. There were no issues raised during this inspection. Refer to details of the inspection in Section 5.5 of this report and site photos in **Appendix F**.

3.6 Consultation

Consultation emails were sent on the 14 March 2022 in advance of the audit to relevant stakeholders from Department of Planning, Industry and Environment, Sutherland Shire Council, and Coast History to request feedback about the project and highlight any areas for AQUAS to focus on during the audit. Feedback provided was as follows:

Contact	Agency	Comments	Audit Findings
Maria Divis Senior Compliance Officer Julia Pope Team Leader – Compliance	The Department of Planning and Environment	To check the status of the following: <ul style="list-style-type: none"> ▪ road safety audit requirements in Condition B 8A, Part B, Schedule 2 have been met; and ▪ management plans required to be updated by Mod 1 have been submitted and approved. 	The audit determined that the road safety audit was updated and submitted to DPE for approval. Refer to the open non-compliances. Overall, the plans were updated and submitted for consultation and to DPE for approval.

Contact	Agency	Comments	Audit Findings
Leanne Mariani Environmental Assessment Officer – Environmental Science	Sutherland Shire Council	No comments	N/A

Refer to **Appendix D** for consultation records sent.

3.7 Audit Compliance Status Descriptors

The following audit criteria were used for the rating of audit findings.

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.
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.

4. Document Review

The following documents were reviewed and/or sighted as part of this audit:

- SSD-8662-Mod-1 - Modification to amend the design of the building, including changes to the floor plan, ground level, amenities and stormwater management approved on 20 December 2020
- Interim Occupation Certificate No. E200331/IOC-01 Elite Certification, 30 July 2021
- Operational Enviro Management Plan (V3) FINAL 19074RP04 Approval by DPE, 3 February 2021
- Long Term Environmental Management Plan (LTEMP) 19074RP02 Version 3, 12 October 2020
- Aboriginal Cultural Heritage Management Plan 238 – 258 Captain Cook Drive, Kurnell June 2019
- Biodiversity Management Plan Draft Version 3, 21 December 2021
- Contingency Acid Sulphate Soil Management Plan 84677.02.R.001.Rev1, 24 August 2018
- Groundwater Management Plan 19066RP01 GMP Version 1 Report No: 19066RP01 GMP, Report Date: 3 May 2019, Revision Text: Version 1
- Flood Emergency Response Plan J1902_R2
- Stormwater Management Plan Dicker Data Warehouse and Distribution Centre Prepared for DCI Projects 03.09.18 Revision A
- Stormwater Monitoring Program Draft Version 2, 9 February 2022
- Bushfire Protection Assessment 8 May 2018
- Bushfire Emergency Evacuation Plan [BEEP], April 2020
- Road Safety Audit Report RSA 19269-r01v03-191021
- Road Safety Audit Report RSA 21386 Version Final, 8 October 2021
- Application for approval of a controlled activity pursuant to: s.183 Airports Act - Notification of decision under Reg 15A(2) of the Airports (Protection of Airspace) Reg's 1996 , 19 July 2019
- Design Statement for Occupation Certificate by Ason Group ref 1253ds01v1, 15 December 2020
- Work Travel Plan prepared by Ason Group dated 9 October 2019
- Plan of Proposed Subdivision of Lot 1 in D.P 1077972, Lot 1 D.P 225973, and Lot 2 in D.P 1088703 Captain Cook Drive, Kurnell, prepared by Master Surveying
- Hammertech Site plant register
- Maintenance records Toyota 7FDE, serial No. 57922, Toyota 7FBE serial No. 51573, and Raymond DR32TT serial No. EB09184
- Parking Facilities on site Drawing 6206-WAE-C108 SH2
- Work as executed drawings, 9 December 2020 Siteworks Plan Sheet 1
- WMK Design Statement 2020.02.20 V2
- Dicker Data Notice of Operation letter to DPE dated 7 September 2021, including portal lodgement and DPE acknowledgment
- Dicker Data Notice of commencement of construction of Stage 2, 25 February 2022, including portal lodgement PA-33
- Dicker Data email to Environment, Energy and Science requesting feedback for Stormwater Monitoring Program, 25 February 2022
- Dicker Data email to National Parks and Wildlife Services requesting feedback for Stormwater Monitoring Program, 25 February 2022
- Dicker Data Advisory letter for the Non Compliance to DPE, 29 September 2021
- Dicker Data Proposal of expert for Stormwater Management System design by TTW via DPE portal, 20 May 2020
- Dicker Data lodgement of Site Audit Report & Site Audit Statement, 26 November 2020
- Dicker Data email to Council 30 October 2019 (Acceleration Lane)
- DPE Advisory Letter - Compliance Reporting and Independent Environmental Audit Post Approval Requirements (PAR) 10 June 2020
- Dicker Data Compliance Monitoring Report Version 1, 14 November 2019

- Dicker Data email to Biosis regarding BMP, 16 December 2021
- DPE email confirmation regarding Notice of Commencement SSD-8662-PA-29 13 September 2021
- DPE email response regarding Notice of Commencement, Stage 2, 3 March 2022
- DPE email response regarding Notice of Commencement, Stage 2, 11 March 2022
- DPE email confirmation regarding CTMP - Service Level Agreement, 11 March 2022
- DPE Approval of Operational Environmental Management Plan, 3 February 2021
- DPE Appointment of Expert letter for Stormwater Management System design by TTW, 25 May 2020
- DPE Approval letter dated 5 November 2020, confirmation of LTEMP Version 3, 12 October 2020
- DPE Approval Letter for the Flood Emergency Response Plan Dated 13 May 2019
- DPE Approval of Work Travel Plan, 18 November 2018
- DPE Approval of Construction Traffic Management Plan, 3 October 2019
- DPE Approval of Construction Environmental Management Plan, 3 October 2019
- DPE Portal receipt for RSA lodgement PA-31, 30 March 2022
- Notice of Requirements for Section 73 Subdivider/Developer Compliance Certificate 178281 (Sydney Water Act 1994, Part 6, Division 9) Developer: DICKER DATA Applicant reference: W-10987, final authorisation dated 15 June 2020
- Telstra-Service-Availability-DD-1144548629 (Attention: Brad Begley, Telstra Reference: 1144548629, Customer: DICKER DATA LTD, Account Number: 2438765000, Date Received: 7th May 2019)
- TfNSW email 1 December 2020 approval of speed limit change and sign installation.
- TfNSW email 20 October 2021 with confirmation of Road Safety Audit including advisory comments with attachment of Road Safety Audit RSA 21386 Version Final, 8 October 2021
- Civil design engineer email for design and drawings of cycle way to Council for review 10 March 2020
- Reditus Consulting email for water sampling 3 March 2022
- Biosis email correspondence for BMP, 21 December 2021
- Biosis email correspondence for BMP, 15 October 2021
- Biosis email correspondence for BMP, 12 October 2021
- Sutherland Shire Council email 5 February 2021 (Road Frontage Works Certification and WAE drawings submitted by Dicker Data 29 January 2021)
- Pestlogic Invoice No. 0025 28/04/2021
- Pestlogic Invoice No. 0222 11/06/2021
- Pestlogic Invoice No. 0234 02/08/2021
- Pestlogic Invoice No. 0242 12/08/2021
- Pestlogic Invoice No. 0006 07/09/2021
- Pestlogic Invoice No. 0018 15/10/2021
- Pestlogic Invoice No. 0025 24/10/2021
- Pestlogic Invoice No. 0199 30/10/2021
- Pestlogic Invoice No. 0110 11/02/2022
- Pestlogic Invoice No. 0124 23/02/2022

5. Audit Findings

This audit was completed to assess the implementation of Operational Environmental Management Plan, and environmental controls established by the proponent against the requirements of Development Consent SSD 8662 Mod-1. The audit confirmed that the proponent has implemented its Operational Environmental Management Plan and mitigation measures to a satisfactory level.

The following table summarises the audit findings by rating category:

Findings Rating	Findings
Compliant	123
Non-Compliant	4
Not Triggered	18
Total Requirements	145

5.1 Assessment of Compliance

The audit determined that the proponent has generally implemented the controls for environmental management within the operational activities that are currently being undertaken. The comparison of audit requirements against the compliance ratings is as follows:

SSD Requirements	Requirements	Findings
Part A – PART A ADMINISTRATIVE CONDITIONS Including Advisory Note AN1.	31	Compliant – 25
		Non-Compliant – 1
		Not Triggered – 4
Part B – SPECIFIC ENVIRONMENTAL CONDITIONS	68	Compliant – 62
		Non-Compliant – 3
		Not Triggered – 3
Part C – ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	21	Compliant – 16
		Non-Compliant – 0
		Not Triggered – 5
Appendix 3 – APPLICANT’S MANAGEMENT AND MITIGATION MEASURES	21	Compliant – 19
		Non-Compliant – 0
		Not Triggered – 2
Appendix 4 – INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS	4	Compliant – 0
		Non-Compliant – 0
		Not Triggered – 4

5.2 Notices, Incidents and Complaints

There have been no agency notices, orders, penalty notices or prosecutions issued, and no reportable environmental incidents have occurred to date.

No complaints had been reported to date.

An advisory letter from the Department was received on 10 June 2020 for the adaptation of the revised 2020 Compliance Reporting and Independent Audit Post Approval Requirements which was accepted by Dicker Data on 2 September 2021. This audit report captures these requirements, and a copy of the letter is appended to this report.

5.3 Development Past Performance

Based on the results of this audit, Dicker Data has maintained good performance in its implementation of environmental mitigation measures as per the Operational Environmental Management Plan. Dicker Data has also developed the required operational management plans as per the condition of consent requirements. However, the operational management plans as per conditions B8A, B18A and B30A, which were raised as non-compliances during the prior to operations audit remain open until they are approved by the Department.

5.4 Review of Previous Audit Findings

There were four non-compliances raised during the previous audit conducted in September 2021 to assess the construction completion and pre-operational requirements of the Stage 1 Warehouse Development. These non-compliances remain open until the documents are approved by the DPE.

Previous Audit Findings (September 2021)

Finding No.	Condition of Consent ID and Requirement	Audit Findings and Recommendation	Status
Non-Compliant 01	<u>A2 Terms of Consent</u> The development may only be carried out: (d) in accordance with the Modification Assessments;	Based on the non-compliances raised at Conditions B8A, B18A and B30A as per Modification 1 of Condition of Consent dated 20 December 2020, this will also be non-compliant. Recommendation: Addressing the non-compliances against B8A, B18A and B30A will automatically address this non-compliance.	Conditions B8A, B18A and B30A under Mod-1 are not fully addressed. This finding remains open.
Non-Compliant 02	<u>B8A Road Safety Audit</u> Within three months of approval of SSD-8662-Mod-1, the Applicant must update the Road Safety Audit required under condition B7, to the satisfaction of the Planning Secretary and in consultation with TfNSW. The Road Safety Audit must identify the potential road safety issues and opportunities for improvements to the site access and road upgrades described in SSD-8662-Mod-1	The Road Safety Audit has not been updated, to the satisfaction of DPE, within the three-month timeframe. Recommendation: The Road Safety Audit to be reviewed and updated as required by the expert to ensure compliance with the SSD-8662-Mod-1.	The Road Safety Audit was updated and submitted on 30 March 2022 to DPE. However, until the document is approved by DPE this finding remains open.
Non-Compliant 03	<u>B18A Stormwater Management System</u> Within six months of approval of SSD-8662-Mod-1, the Applicant must prepare a Stormwater Monitoring Program, to the satisfaction of the Planning Secretary. The Program must:	The Stormwater Monitoring Program has not been developed, to the satisfaction of DPE, within the six-month timeframe.	A Stormwater Monitoring Program was developed and provided to EESG and NPWS for consultation and still waiting for their

Finding No.	Condition of Consent ID and Requirement	Audit Findings and Recommendation	Status
	<p>(a) be undertaken by a suitably qualified expert;</p> <p>(b) be undertaken in consultation with the EESG and NPWS;</p> <p>(c) describes the measures undertaken to monitor storm events greater than the 1% Annual Exceedance Probability events in the western vegetation zone and Towra Point Nature Reserve Ramsar Site (TPNRRS);</p> <p>(d) outline the contingency plan if the monitoring indicates any of the impact assessment criteria or performance criteria has been exceeded;</p> <p>(e) incorporate a program for ongoing monitoring and review; and</p> <p>(f) mechanisms to report results to relevant agencies</p>	<p>Recommendation: The Stormwater Monitoring Program to be developed to the satisfaction of DPE, in compliance with the SSD-8662-Mod-1 B18A.</p>	<p>comments/no comments response prior to submission to DPE.</p> <p>This finding remains open until submitted and approved by DPE.</p>
<p>Non-Compliant 04</p>	<p>B30A Biodiversity Management Plan</p> <p>Within six months of approval of SSD-8662-Mod-1, the Applicant must update the BMP required under condition B30, to the satisfaction of the Planning Secretary. The BMP must be prepared in consultation with EESG and must:</p> <p>(a) be prepared by a suitably qualified expert;</p> <p>(b) show the specific vegetation ‘no-go’ zones on site;</p> <p>(c) outline the vegetation and tree protection measures to be used in protection zones;</p> <p>(d) outline specific performance measures and performance monitoring procedures;</p> <p>(e) detail the vegetation to be removed for works approved under SSD-8662-Mod-1;</p> <p>(f) detail the vegetation to be replaced for works approved under SSD-8662-Mod-1;</p> <p>(g) describe the roles and responsibilities of key personnel for the BMP; and</p> <p>(h) detail the procedures to contact EESG if any additional vegetation clearing is required for the maintenance of structures in the vegetation zones.</p>	<p>The Biodiversity Management Plan has not been updated as per the requirements of this condition B30A, to the satisfaction of DPE, within the six-month timeframe.</p> <p>Recommendation: The Biodiversity Management Plan to be reviewed by the Ecologist and be updated as required to the satisfaction of DPE, in compliance with the SSD-8662-Mod-1 B30A. Or a confirmation letter from the Ecologist who prepared the plan that there was no additional trees/vegetation clearing conducted as part of the SSD Modification 1 scope of works that will trigger the amendment of the BMP.</p>	<p>The Biodiversity Management Plan has been provided to the Ecologist (Biosis) for review and update and Dicker Data is still waiting for the final report prior to submission to EESG for consultation.</p> <p>This finding remains open until submitted and approved by DPE.</p>

5.5 Audit Site Inspection

A site walk around the operational site was conducted on 25 March 2022 to review the effectiveness of mitigation measures. The following environmental controls were found to be in place and in good working condition. Environmental controls have been implemented as per the OEMP such as:

- Permanent drainage and swales maintained
- Existing trees retained and new trees established
- Permanent fencing around the site in good condition

- Electric car chargers at the car park utilised
- Solar panels in operation
- Waste storage and collection location for the warehouse as accepted by Sutherland Shire Council
- Office waste segregation implemented with separate labelled bins available at all kitchen areas of the warehouse
- Recreation area maintained
- Vermin traps were installed and maintained
- Weed management was implemented; and
- The Aboriginal area was preserved.

Refer to photos of the site inspection in **Appendix F**.

5.6 Suitability of Plans and the EMS

Dicker Data Environmental Management System (EMS) is robust on communication processes, documentation and record keeping, induction, training and competence, environmental controls, and non-conformance/corrective action processes.

The Operational Environmental Management Plan was developed and submitted to DPE prior to the Stage 1 Warehouse operation. The OEMP and sub-plans were generally compliant with the requirements of the Development Consent Conditions 8662-Mod-1.

The Long Term Environmental Management Plan was also developed and submitted to DPE prior to the warehouse operation and will be implemented during Stage 2 Construction works as necessary.

5.7 Actual and Predicted Impacts

There are no significant changes or additional impacts noted on the actual construction works. The predicted impacts as stated in the Environmental Impact Statement (EIS) remain the same.

5.8 Key Strengths

Overall, the project is generally compliant with the conditions of Development Consent SSD 8662-Mod-1 with the following key strengths noted:

- The following mitigation measures as per Operational Environmental Management Plan (OEMP) were implemented, with no issues raised during the inspection that was conducted by the auditor on 25 March 2022:
 - Stormwater management (swale maintenance and overflow discharge was managed during the heavy rainfall);
 - Wastes segregation was well implemented;
 - Traffic management i.e., road signage installed and maintained, no queuing of heavy vehicle on public road, staff parking were generously available, with a clear access/egress traffic flow;
 - Sustainability requirements i.e., solar panels, electric car charging bays and rainwater harvesting were working effectively and maintained;
 - Protection of Aboriginal pad area;
 - Fencing and security around the site;
 - Fauna management i.e., sightings of turtle, snakes and possum at the swale were recorded and handled well;
 - Weed and pest (vermin traps available) control management; and
 - Warehouse plant and equipment were maintained and in good working condition.
- There were no complaints or environmental incidents reported to date.
- Hard copies of the OEMP and subplans were readily available and accessible for all employees onsite
- Active use of noticeboard for safety and environmental concerns at the warehouse kitchen area was noted.

6. Summary of Audit Findings and Recommendations

Based on the conducted independent environmental audit which comprised of document and records review, interview with key personnel and site inspections there were a total 145 Conditions of Consent that have been reviewed during this audit.

The four non-compliances raised during the previous audit remain open and are identified in the following Table below. Refer to the attached **Appendix C. Audit Checklist and Audit Findings** for full details evidence of compliances including notes.

The following are recommended for Dicker Data to maintain and to fully comply with the operational requirements of the SSD-8662-Mod-1 conditions and IAPAR 2020:

- Address the open non-compliances raised during the previous audit against A2, B8A, B18A and B30A; and
- Ensure that the Operational Compliance Report will be developed and submitted to DPE at no greater than 52 weeks from the date of commencement of operation.

Audit Findings (March 2022)

Finding No.	Condition of Consent ID and Requirement	Audit Findings and Recommendation	Dicker Data Response
Non-Compliant 01	<p><u>A2 Terms of Consent</u></p> <p>The development may only be carried out: (d) in accordance with the Modification Assessments;</p>	<p>Based on the non-compliances raised at Conditions B8A B18A and B30A as per Modification 1 of Condition of Consent dated 20 December 2020, this will also be non-compliant.</p> <p>Recommendation: Addressing the non-compliances against B8A, B18A and B30A will automatically address this non-compliance.</p>	<p>Dicker Data acknowledges this non-compliance.</p>
Non-Compliant 02	<p><u>B8A Road Safety Audit</u></p> <p>Within three months of approval of SSD-8662-Mod-1, the Applicant must update the Road Safety Audit required under condition B7, to the satisfaction of the Planning Secretary and in consultation with TfNSW. The Road Safety Audit must identify the potential road safety issues and opportunities for improvements to the site access and road upgrades described in SSD-8662-Mod-1</p>	<p>The Road Safety Audit has been updated and submitted to DPE. However, the Road Safety Audit report is still to be approved by DPE.</p> <p>Recommendation: The Road Safety Audit must be approved by the DPE to ensure compliance with SSD-8662-Mod-1.</p>	<p>Dicker Data acknowledges this non-compliance. The RSA was submitted to DPE for approval on 30 March 2022.</p>
Non-Compliant 03	<p><u>B18A Stormwater Management System</u></p> <p>Within six months of approval of SSD-8662-Mod-1, the Applicant must prepare a Stormwater Monitoring Program, to the satisfaction of the Planning Secretary. The Program must:</p> <ul style="list-style-type: none"> (a) be undertaken by a suitably qualified expert; (b) be undertaken in consultation with the EESG and NPWS; (c) describes the measures undertaken to monitor storm events greater than the 1% Annual Exceedance Probability events in the western vegetation zone and Towra Point Nature Reserve Ramsar Site (TPNRRS); (d) outline the contingency plan if the monitoring indicates any of the impact assessment criteria or performance criteria has been exceeded; (e) incorporate a program for ongoing monitoring and review; and (f) mechanisms to report results to relevant agencies 	<p>The Stormwater Monitoring Program has been developed and is awaiting response from the EES and NPWS. The Stormwater Monitoring Program has not yet been submitted to DPE.</p> <p>Recommendation: The Stormwater Monitoring Program must be submitted to and approved by DPE to ensure compliance with SSD-8662-Mod-1 B18A.</p>	<p>Dicker Data acknowledges this non-compliance. The SMP will be issued to DPE following the EES and NPWS response. Dicker Data noted that it has been two months since the submitted the document for consultation. Dicker Data will contact EESG and NPWS to notify that the program will be finalised for submission to DPE for approval.</p>

Finding No.	Condition of Consent ID and Requirement	Audit Findings and Recommendation	Dicker Data Response
<p>Non-Compliant 04</p>	<p><u>B30A Biodiversity Management Plan</u> Within six months of approval of SSD-8662-Mod-1, the Applicant must update the BMP required under condition B30, to the satisfaction of the Planning Secretary. The BMP must be prepared in consultation with EESG and must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified expert; (b) show the specific vegetation 'no-go' zones on site; (c) outline the vegetation and tree protection measures to be used in protection zones; (d) outline specific performance measures and performance monitoring procedures; (e) detail the vegetation to be removed for works approved under SSD-8662-Mod-1; (f) detail the vegetation to be replaced for works approved under SSD-8662-Mod-1; (g) describe the roles and responsibilities of key personnel for the BMP; and (h) detail the procedures to contact EESG if any additional vegetation clearing is required for the maintenance of structures in the vegetation zones. 	<p>The Biodiversity Management Plan has been provided to the Ecologist (Biosis) for review and update and Dicker Data is still waiting for the final report prior to submission to EESG for consultation.</p> <p>This finding remains open until submitted and approved by DPE.</p> <p>Recommendation: Once the Biodiversity Management Plan has been finalised by Biosis, it must be submitted to EESG for consultation. Following the EESG response, the BMP must be submitted to and approved by DPE, to ensure compliance with SSD-8662-Mod-1 B30A.</p>	<p>Dicker Data acknowledges this non-compliance. The BMP will be issued to DPE following the EESG consultation.</p>

Appendix A. Auditors Approval



Planning,
Industry &
Environment

Dicker Data Limited
Property Manager
230-236 CAPTAIN COOK DRIVE
KURNELL NSW 2231

By email: brad.begley@dickerdata.com.au

8 September 2021

Attention: Brad Begley

**Dicker Data Warehouse and Distribution Centre (SSD-8662)
Independent Auditor**

I refer to your request (SSD-8662-PA-28) for the Secretary's approval of suitably qualified persons to prepare the Independent Audit for the Dicker Data Warehouse and Distribution Centre (SSD-8662).

The Department has reviewed the nominations and information you have provided and is satisfied that the nominated expert is suitably qualified and experienced. Consequently, I can advise that the Secretary approves the appointment of Annabelle Tungol to prepare the Independent Audit.

In accordance with Condition C18 of SSD-8662 (the 'Consent') and the Independent Audit Post Approval Requirements, the Secretary has agreed to:

- Annabelle Tungol from AQUAS Pty Ltd as lead auditor.

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken and finalised in accordance with the Independent Audit Post Approval Requirements. Failure to meet these requirements will require revision and resubmission.

The Department reserves the right to request an alternate auditor or audit team for future audits.

Notwithstanding the agreement for the above listed auditor for this Project, each respective project approval or consent requires a request for the agreement to the auditor or audit team be submitted to the Department, for consideration of the Secretary. Each request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor or audit team will be considered.

If you wish to discuss the matter further, please contact Maria Divis on 02 8275 1156.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Pope'.

Julia Pope
Team Leader Compliance - Metro
Compliance

As nominee of the Planning Secretary

Appendix B. Independent Audit Declaration Form

Independent Audit Declaration Form

Project Name:	Warehouse Development
Consent Number:	SSD 8662-Modification 1
Description of Project:	Construction and operation of a warehouse and distribution centre
Project Address:	238 – 253 Captain Cook Drive, Kurnell
Proponent:	Dicker Data Ltd
Title of Audit:	Independent Environmental Audit
Date:	25 March 2022

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) 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 Auditor: Annabelle Tungol

Signature:



Qualification: Lead Environmental Auditor (Exemplar Global No. 119536)

Company: AQUAS Pty Ltd

Company Address: Level 7, 116 Miller Street, North Sydney NSW 2060

Independent Audit Declaration Form

Project Name:	Warehouse Development
Consent Number:	SSD 8662-Modification 1
Description of Project:	Construction and operation of a warehouse and distribution centre
Project Address:	238 – 253 Captain Cook Drive, Kurnell
Proponent:	Dicker Data Ltd
Title of Audit:	Independent Environmental Audit
Date:	25 March 2022

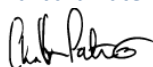
I declare that:

- vi. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- vii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- viii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- ix. I am not an Environmental Representative for the project; and
- x. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) 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 Auditor: Barbara Pater

Signature: 

Qualification: Environmental Auditor's Assistant (SAI Global No. C327554)

Company: AQUAS Pty Ltd

Company Address: Level 7, 116 Miller Street, North Sydney NSW 2060

Appendix C. Audit Checklist and Audit Findings

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
		SCHEDULE 3: PART A - ADMINISTRATIVE	CONDITIONS		
A	A1	Obligation to Minimise Harm to the Environment 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.	<p>The environmental mitigation measures were generally implemented.</p> <p>The development is in its operational phase with permanent environmental mitigation measures installed including landscaping, stormwater management, cycle way, bus stops, sustainability requirements (solar panels and electric car charger bays), rainwater tanks, preservation of Aboriginal pad area, waste segregation and storage, permanent fencing and parking areas for truck deliveries and employees.</p> <p>The development is operating under the Interim Occupation Certificate ref E200331/IOC-01.</p>		Compliant
A	A2	Terms Of Consent The development may only be carried out:	The development is generally compliant in accordance with the Conditions of Consent as per compliances noted on the following conditions.	NC-01: Based on the non-compliances raised at Conditions B8A, B18A and B30A as per Modification 1 of Condition of Consent dated 20 December 2020, this will also be non-compliant. Recommendation: Addressing the non-compliances against B8A, B18A and B30A will automatically address this non-compliance.	Non-Compliant
A	A2 (a)	in compliance with the conditions of this consent;			
A	A2 (b)	in accordance with all written directions of the Planning Secretary;	An advisory Letter dated 10 June 2020 was issued by DPE noting the adoption of the PAR 2020 guidelines.		
A	A2 (c)	generally in accordance with the EIS and Response to Submissions (RTS);	The development is compliant in accordance with the EIS and RTS as evidenced in the compliances noted on the following conditions.		
A	A2 (d)	in accordance with the Modification Assessments	Based on the non-compliances raised at Conditions B8A, B18A and B30A, as per Modification 1 of Condition of Consent dated 20 December 2020, this will also be non-compliant.		
A	A2 (e)	in accordance with the Development Layout Plans in Appendix 1; and	Construction of the development is now complete and in accordance with the Development Layout Plans in Appendix 1.		

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
A	A2 (f)	in accordance with the management and mitigation measures in Appendix 3.	Permanent environmental mitigation measures are in place including landscaping, stormwater management, cycle way, bus stop, sustainability requirements (solar panels and electric car charger bays, rain water tanks, preservation of Aboriginal pad area, wastes storage, permanent fencing and parking areas for truck deliveries and employees.		
A	A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:	The Advisory Letter dated 10 June 2020 issued by DPE as per email 11 June 2020, notes the adoption of the PAR 2020 guidelines.	It is noted that Dicker Data is to provide an Operational Compliance Report within 52 weeks following commencement of operations.	Compliant
A	A3 (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			
A	A3 (b)	the implementation of any actions or measures contained in any such document referred to in condition A3(a).			
A	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). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	The audit determined that no inconsistency, ambiguity, or conflict has occurred.		Compliant
A	A5	Limits of Consent Lapsing 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.	The development is still operating under Mod-1 of the SSD. Operation commencement date as notified to DPE advised as early October 2021 as evidenced – letter dated 7 September 2021 and submitted to DPE portal, ref PA-29. Email also sighted from DPE dated 13 September 2021 confirming receipt of Notification of Commencement. Date of commencement confirmed by Dicker Data as 5 October 2021.		Compliant

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
A	A6	NOTIFICATION OF COMMENCEMENT The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date:	Construction complete for works under Mod-1 and as verified during the previous audits. Stage 2 will be constructed under a new modification (Mod-2) which is outside the scope of this audit. Notification of commencement of Stage 2 was submitted to the DPE as per letter dated 25 February 2022 and portal receipt PA-33.		Compliant
A	A6 (a)	construction;			
A	A6 (b)	operation; and	Dicker Data lodged the Notice of Operation in DPE portal on 7/09/2021 that the operation will commence early October 2021 via DPE portal (PA-29). Actual commencement date 5 October 2021 confirmed by Dicker Data. Email sighted from DPE dated 13 September 2021 confirming receipt of Notification of Commencement.		
A	A6 (c)	cessation of operations.	Operations ongoing. Not yet triggered.		
A	A7	If the construction or operation of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Dicker Data letter dated 25 February 2022 for notice of commencement of construction of Stage 2 Warehouse on the 30 March 2022. Lodged on DPE portal as per portal receipt PA-33.		Compliant
A	A8	Evidence of Consultation Where conditions of this consent require consultation with an identified party, the Applicant must:	The updated Road Safety Audit was provided to TfNSW on 11 October 2021 as per email from Dicker Data in accordance with B8A. <ul style="list-style-type: none">Email response received from TfNSW 20 October 2021 with no additional comments.	Note: The finalised Biodiversity management Plan (BMP) Report must be submitted to Environment, Energy and Services Group (EEGS) as required under condition B30A. Recommendation: It is recommended that Dicker Data submit the BMP to EEGS for consultation prior to submission to DPE for approval.	Compliant
A	A8 (a)	consult with the relevant party prior to submitting the subject document for information or approval; and	A Stormwater Management Program was developed 9 February 2022 in accordance with B18A and is waiting response from the NSW Environment, Energy and Science (EES) and the National Parks and Wildlife Services prior to submission to DPE. Emails presented as evidence include:		
A	A8 (b)	provide details of the consultation undertaken including:	<ul style="list-style-type: none">25 February 2022, Dicker Data to EES25 February 2022, Dicker Data to NPWS.		
A	A8 (b) (i)	the outcome of that consultation, matters resolved and unresolved; and			

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
A	A8 (b) (ii)	details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	<p>Copies of emails included with the Stormwater Management Program.</p> <p>The remaining management plans and documents remain unchanged since previous audit.</p> <p>The Biodiversity management Pan (BMP) Report was being reviewed and finalised by the ecologist (Biosis).</p>		
A	A9	Staging, Combining and Updating Strategies, Plans and Programs With the approval of the Planning Secretary, the Applicant may:	<p>Construction was not staged and is now complete under Mod-1.</p> <p>Notification of commencement of Stage 2 was submitted to DPE as per letter dated 25 February 2022 and portal receipt PA-33.</p>		Not Triggered
A	A9 (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);	<p>Emails were received from the Department 3 March 2022 and 11 March 2022 responding with no comments.</p> <p>Stage 2 will be construction under a new modification (Mod-2) which is outside the scope of this audit. This therefore remains as not triggered.</p>		
A	A9 (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			
A	A9 (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).			
A	A10	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required	<p>Notification of commencement of Stage 2 was submitted to the Department as per letter dated 25 February 2022 and portal receipt PA-33.</p>		Not Triggered

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
		to be consulted in the relevant condition in this consent.	Emails were received from the Department 3 March 2022 and 11 March 2022 responding with no comments. Stage 2 will be constructed under a new modification (Mod-2) which is outside the scope of this audit. This therefore remains as not triggered.		
A	A11	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.	Notification of commencement of Stage 2 was submitted to the Department as per letter dated 25 February 2022 and portal receipt PA-33. Emails were received from the Department 3 March 2022 and 11 March 2022 responding with no comments. Stage 2 will be constructed under a new modification (Mod-2) which is outside the scope of this audit. This therefore remains as not triggered.		Not Triggered
A	A12	PROTECTION OF PUBLIC INFRASTRUCTURE Before the commencement of construction, the Applicant must:	Construction under Mod-1 complete and evidence provided in previous audit remains compliant.		Compliant
A	A12 (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;			
A	A12 (b)	prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and			
A	A12 (c)	submit a copy of the dilapidation report to the Planning Secretary and Council.			
A	A13	Unless the Applicant and the applicable authority agree otherwise, the Applicant must:	No public infrastructure has been damaged to date. Not triggered.		Not Triggered
A	A13 (a)	repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and			

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
A	A13 (b)	relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.			
A	A14	DEMOLITION All demolition must be carried out in accordance with <i>Australian Standard AS 2601-2001 The Demolition of Structures</i> (Standards Australia, 2001).	Demolition complete and carried out in accordance with Australian Standard AS 2601-2001 <i>The Demolition of Structures</i> (Standards Australia, 2001) as evidenced in previous audit.		Compliant
A	A15	STRUCTURAL ADEQUACY All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA. <i>Note:</i> <ul style="list-style-type: none"> • 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. • Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of Subsidence Advisory NSW's approval before carrying out certain development in a Mine Subsidence District. 	Construction under Mod-1 complete and evidence provided in previous audit remains compliant.		Compliant
A	A16	COMPLIANCE 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.	Construction has been completed. Dicker Data noted that all sub-contractors will comply with their LTEMP.		Compliant

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
A	A17	CONTRIBUTIONS TO COUNCIL Before the issue of a construction certificate for any part of the development, a payment of a levy of 1% of the proposed cost of carrying out the development must be paid to Council under section 7.12 of the EP&A Act.	Construction under Mod-1 complete and evidence provided in previous audit remains compliant.		Compliant
A	A18	SUBDIVISION Prior to the issue of an Occupation Certificate, the Applicant must amalgamate the site in accordance with the subdivision plan titled 'Proposed Subdivision Lot 1 DP 225973 & Lot 2 DP 1088703' prepared by Masters Surveying, dated 12 December 2018.	The Interim Occupation Certificate is still in place. As per previous audit, the site was amalgamated in accordance with the Plan of Proposed Subdivision of Lot 1 in D.P 1077972, Lot 1 D.P 225973, and Lot 2 in D.P 1088703 Captain Cook Drive, Kurnell, prepared by Master Surveying.		Compliant
A	A19	OPERATION OF PLANT AND EQUIPMENT All plant and equipment used on site, or to monitor the performance of the development must be:	Current site plant register from Contractor, Hammertech, presented as evidence. Shows machinery onsite, type, number, date, and review status. Dicker Data retains own filing records by Forklifts i.e. each folder contains model type.		Compliant
A	A19 (a)	maintained in a proper and efficient condition; and	Plant was verified during site inspection as per photos. Maintenance record also sighted for Toyota 7FDE, serial No. 57922, Toyota 7FBE serial No. 51573, and Raymond DR32TT serial No. EB09184.		
A	A19 (b)	operated in a proper and efficient manner.	Forklift onsite was not in operation however it included operator manual and maintenance records as per photos.		
A	A20	EXTERNAL WALLS AND CLADDING The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Construction is complete under Mod-1. External walls are in good condition as verified during site inspection as per photos.		Compliant
A	A21	Before the issue of a Construction Certificate and an Occupation Certificate, the Applicant must provide the Certifying Authority 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.	The Interim Occupation Certificate No. No. E20031/IOC-01 dated 30 July 2021 from Elite Certification is still in place. The Certificate includes the Installation Certificate for Fire Seals, Lightweight Construction (Fire Rated) & External Cladding – Epic Interiors Commercial Pty Ltd dated 29 March 2021; Investigation Report # 8520/1 Analysis of ACP Cladding Sample – ExcelPlas Test Report dated 12 March 2020; AS 5113 Full Façade Test Comparisons; Mitsubishi ALPOLIC NC AS 1530.1 NATA Test Report No. RFT10153 – Warringtonfire dated 7 February 2019; Mitsubishi		Compliant

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			ALPOLIC NC AS 1530.3 NATA Test Report No. FNE12526A – CSIRO dated 9 January 2020.		
A	A22	The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.	The Interim Occupation Certificate for SSD 8662 is still in place and was issued on 30 July 2021 by Elite Certification with the exclusion of the building works associated with Modification Application SSD 8662- Mod -1 22 Dec 2020.		Compliant
A	A23	UTILITIES AND SERVICES Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Utility works have been complete as per previous audit evidence.		Compliant
A	A24	Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the <i>Sydney Water Act 1994</i> .	Submission of Section 73 of Sydney Water application with Sydney Water as per previous audit evidence. Certificate from Sydney Water for Case 178281, Applicant Reference No. W-10987, signed by two authorised Sydney Water Officers with approval date one: 12 April 2019 and approval date two: 15 June 2020.		Compliant
A	A25	Before the issue of a Subdivision or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifying Authority, that arrangements have been made for:	Construction is complete as per previous audit, evidenced as per letter from Telstra: Telstra-Service-Availability-DD-1144548629 (Attention: Brad Begley, Telstra Reference: 1144548629, Customer: DICKER DATA LTD, Account Number: 2438765000, Date Received: 7th May 2019)		Compliant
A	A25 (a)	the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and			

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
A	A25 (b)	the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.			
A	A26	The Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.	Construction is complete as per previous audit, evidenced as per letter from Telstra: Telstra-Service-Availability-DD-1144548629 (Attention: Brad Begley, Telstra Reference: 1144548629, Customer: DICKER DATA LTD, Account Number: 2438765000, Date Received: 7th May 2019)		Compliant
A	A27	The Applicant must engage an Accredited Certifier in civil engineering works or a Chartered Civil Engineer to supervise and certify the construction of road frontage works, stormwater drainage and rainwater harvesting systems.	Construction is complete as per previous audit, evidenced as Details of Chartered Engineer email to acknowledge DPE receipt of the A27 Details of Chartered Engineer for the Dicker Data Warehouse and Distribution Centre, approved by DPE on 27 February 2020.		Compliant
A	A28	WORKS AS EXECUTED PLANS Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifying Authority.	Work as executed drawings were submitted to Certifying Authority for review and for the issue of final Occupation Certificate. Drawings signed by Register Surveyor (Anthony Bennett) dated 9 December 2020 Siteworks Plan Sheet 1. The development is still operating under the Interim Occupation Certificate for SSD 8662 which was issued on 30 July 2021 by Elite Certification with the exclusion of the building works associated with Modification Application SSD 8662- Mod -1 22 Dec 2020.		Compliant
A	A29	APPLICABILITY OF GUIDELINES 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.	The development is still operating under the Interim Occupational Certificate which notes guidelines, protocols, and Australian Standards.		Compliant

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
A	A30	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.	DPE Advisory Letter dated 10 June 2020 was provided with the instruction to adopt PAR 2020. Dicker Data responded to this request with a letter dated 2 September 2021. The previous audits conducted and reported in May and October 2021 implemented the new guidelines.		Compliant
A	AN1	Advisory Notes 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.	All licences, permits, approvals and consents as required by law were obtained and continued to be maintained as required for the development. e.g. DPE approvals		Compliant
		PART B - PRIOR TO COMMENCEMENT OF	CONSTRUCTION		
B	B1	TRAFFIC AND ACCESS Construction Traffic Management Plan Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the development to the satisfaction of the Planning Secretary. The CTMP must form part of the CEMP required by condition C2 and must:	Construction is complete. The development is now operational. The CTMP was approved by DPE 3/10/2019 and implemented throughout construction as per previous audit evidence.		Compliant
B	B1 (a)	be prepared by a suitably qualified and experienced person(s);			
B	B1 (b)	be prepared in consultation with Council and TFNSW;			
B	B1 (c)	detail the measures that are to be implemented to ensure road safety and network efficiency during construction;			

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B1 (d)	detail measures that are to be implemented to protect the vegetation of the Towra Point Nature Reserve during roadworks;			
B	B1 (e)	detail heavy vehicle routes, access and parking arrangements;			
B	B1 (f)	include a Driver Code of Conduct to:			
B	B1 (f) (i)	minimise the impacts of earthworks and construction on the local and regional road network;			
B	B1 (f) (ii)	minimise conflicts with other road users;			
B	B1 (f) (iii)	minimise road traffic noise;			
B	B1 (f) (iv)	ensure truck drivers use specified routes;			
B	B1 (g)	include a program to monitor the effectiveness of these measures; and			
B	B1 (h)	if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.			
B	B2	The Applicant must:			
B	B2 (a)	not commence construction until the CTMP required by condition B1 is approved by the Planning Secretary; and	Construction is complete. The development is now operational. The CTMP was approved by DPE 3/10/2019 and implemented throughout construction as per previous audit evidence.		Compliant
B	B2 (b)	implement the most recent version of the CTMP approved by the Planning Secretary for the duration of the construction.			
B	B3	Roadworks and Access Prior to the commencement of operation, the Applicant must complete the construction of the extension of the west bound acceleration lanes on Captain Cook Drive, adjacent to the light vehicle egress and heavy vehicle egress points to the satisfaction of Council.	Construction of the extension of the west bound acceleration lanes on Captain Cook Drive is complete as verified during the previous audit (September 2021). The development is now operational.		Compliant

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B4	The Applicant must obtain written authorisation from TfNSW for any changes to the speed limits along Captain Cook Drive and any associated relocation of speed limit signs.	Verified during previous audit (September 2021) as per email confirmation from TfNSW dated 1 December 2020, internal approval of speed limit change and sign installation.		Compliant
B	B5	The Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the proposed accesses to the development are designed to accommodate the turning path of a B double truck.	Verified during previous audit (September 2021). Roundabout and access/egress onsite confirmed as per site inspection photos.		Compliant
B	B6	Prior to the commencement of operation, the Applicant must submit detailed design plans and construct a cycleway along the frontage of the site to the satisfaction of Council.	Verified during previous audit (September 2021) as per email sent to Council on 30 October 2019 for 238 - 258 Captain Cook Drive Kurnell, SSD 8662 Acceleration Lane, email from civil design engineer for design and drawings of cycle way to Council for review 10 March 2020, email from Sutherland Shire Council dated 5 February 2021 confirms receipt of the Road Frontage Works Certification and WAE drawings submitted by Dicker Data on the 29 January 2021.		Compliant
B	B7	Road Safety Audit Prior to the commencement of roadworks described in condition B3, the Applicant must prepare and submit a Road Safety Audit to the satisfaction of TfNSW. The Road Safety Audit must identify the potential road safety issues and opportunities for improvements to the site access and road upgrades described in the RTS and EIS.	Roadworks complete as verified during previous audit (September 2021), as per Road Safety Audit Report RSA 19269-r01v03-191021 combined (004).		Compliant
B	B8	The Applicant must address any recommendations for road safety improvements identified in the Road Safety Audit described in condition B7.	Verified as per previous audit - email sent to Council on 30 October 2019 for 238 - 258 Captain Cook Drive Kurnell, SSD 8662 Acceleration Lane in compliance with consent conditions B3 to B9.		Compliant
B	B8A	Within three months of approval of SSD-8662-Mod-1, the Applicant must update the Road Safety Audit required under condition B7, to the satisfaction of the Planning Secretary and in consultation with TfNSW. The Road Safety Audit must identify the potential	The Road Safety Audit was identified to not have been updated during the previous audit in September 2021. The Road Safety Audit has now been updated as evidenced:	NC-03: Although the Road Safety Audit has been updated and submitted to DPE, it is still awaiting approval from the DPE.	Non-Compliant

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
		road safety issues and opportunities for improvements to the site access and road upgrades described in SSD-8662-Mod-1	Email from Dicker Data to TfNSW 11 October 2021 requesting review of included Road Safety Audit, 8 October 2021. Transport responded on 20 October 2021 with no additional comments on the RSA. The RSA was submitted by Dicker Data on the 30 March 2022 as per portal receipt, PA-31.	Recommendation: The Road Safety Audit must be approved by DPE to ensure compliance with SSD-8662-Mod-1.	
B	B9	Bus Stops Prior to the commencement of operation, the Applicant must provide, to the satisfaction of Council and TfNSW, two bus stops adjacent to the site, comprising a bus stop on the northern and southern sides of Captain Cook Drive and associated pedestrian refuges.	Verified during previous audit (September 2021), bus stops completed with signage installed.		Compliant
B	B10	Parking The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.	Ample parking sighted at the Dicker Data parking area. Refer to photos. Ason Group Reference: 1253ds01v1, 15 December 2020 of Design Statement approved in accordance with Condition B10 based on site inspection 9 December 2020 and in accordance with the Occupation Certificate.		Compliant
B	B11	Operating Conditions The Applicant must ensure:	Verified during previous audit (September 2021) and as per site inspection. Refer to photos. Ason Group Reference: 1253ds01v1, 15 December 2020 of Design Statement approved in accordance with Condition B11 based on site inspection, 9 December 2020 and in accordance with the Interim Occupation Certificate.		Compliant

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B11 (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 <i>AS 2890.1:2004 Parking facilities Off-street car parking</i> (Standards Australia, 2004) and <i>AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities</i> (Standards Australia, 2002);	Roads, driveways and parking maintained as evidenced in site inspection photos.		
B	B11 (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;	Verified during site inspection. Refer to photos.		
B	B11 (c)	the development does not result in any vehicles queuing on the public road network;	No queuing noted during site inspection. Refer to photos.		
B	B11 (d)	heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;	Heavy vehicles not parked on local roads. Waste bins kept on premises as per photos.		
B	B11 (e)	all vehicles are wholly contained on site before being required to stop;	It was confirmed that vehicles are wholly contained on site before being required to stop.		
B	B11 (f)	all loading and unloading of materials is carried out on-site;	Dicker Data confirmed that all loading and unloading of materials is carried out onsite.		
B	B11 (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	Construction is complete. The development is now operational with no truck loads operating under Mod-1.		
B	B11 (h)	the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.	Roundabout onsite clear as per photos.		

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B12	<p>Work Place Travel Plan Prior to the commencement of operation of any part of the development, the Applicant must prepare a Work Place Travel Plan to the satisfaction of the Planning Secretary. The Work Place Travel Plan must form part of the OEMP required by condition C5 and must:</p>	<p>The Workplace Travel Plan (approved by DPE 18 November 2019) is still being implemented and includes facilities and measures to promote public transport use under Section 3.1, and describes pedestrian (Section 2.3), and bicycle (Section 2.1) linkages, and end of trip facilities available onsite. The WTP also includes Table 2: TfNSW comments with a summary response and which section addresses the feedback.</p>		Compliant
B	B12 (a)	be prepared in consultation with TfNSW;			
B	B12 (b)	outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and			
B	B12 (c)	describe pedestrian and bicycle linkages and end of trip facilities available on-site.			
B	B13	The Applicant must not commence operation until the Work Place Travel Plan is approved by the Planning Secretary.	The Workplace Travel Plan (approved by DPE 18 November 2019) is also included as Appendix B of the Operational Environmental Management Plan (OEMP) as approved by DPE on 3 February 2021.		Compliant
B	B14	The Applicant must implement the most recent version of the Work Place Travel Plan approved by the Planning Secretary for the duration of the development.	There are Workplace Travel Plan Brochures available in the lobby for all staff and an electronic version is available via the staff Dicker Data AU Intranet linked to SharePoint (managed by the HR department).		Compliant
B	B15	<p>SOILS, WATER QUALITY AND HYDROLOGY Imported Soil The Applicant must:</p>	Construction is complete and evidence verified during previous audits remains in place. The development is now operational.		Compliant
B	B15 (a)	ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;			
B	B15 (b)	keep accurate records of the volume and type of fill to be used; and			
B	B15 (c)	make these records available to the Department upon request.			

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B16	Erosion and Sediment Control Plans certified in accordance with section 6.28 of the EP&A Act are to be submitted to the Certifying Authority and the Department prior to commencement of each stage of the works and must include details as required by any of the following conditions.	Construction is complete. The development is now operational and has demonstrated controls including the development of a Stormwater Management Program and updates to the Biodiversity Management Plan.		Compliant
B	B17	Discharge Limits The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters.	No discharge has occurred to date.		Not triggered
B	B18	Stormwater Management System Prior to the commencement of operation, the Applicant must design, install and operate a stormwater management system for the development. The system must:	As per previous audit, the TTW Civil Stormwater Inspection Certificate ref 171516 CAAA dated 22 December 2020 confirmed works are in accordance with this condition as part of the Interim Occupation Certificate No. E20031/IOC-01 dated 30 July 2021 from Elite Certification.		Compliant
B	B18 (a)	be designed by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;			
B	B18 (b)	be prepared in consultation with Council and be generally in accordance with the conceptual design in the RTS;			
B	B18 (c)	remove the western stormwater discharge point to Captain Cook Drive;			
B	B18 (d)	be in accordance with applicable Australian Standards;			
B	B18 (e)	ensure that water discharged from the site complies with Council's water quality standards;			
B	B18 (f)	ensure that the stormwater management system is designed and maintained to protect the safety of the public;			
B	B18 (g)	verify the performance of water quality treatment measures using MUSIC modelling software;			

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SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B18 (h)	ensure that the system capacity has been designed in accordance with <i>Australian Rainfall and Runoff</i> (Engineers Australia, 2016) and <i>Managing Urban Stormwater: Council Handbook</i> (EPA, 1997) guidelines;			
B	B18 (i)	describe the measures that would be implemented to maintain the stormwater management system, including bioretention basins and the rainwater harvesting and retention system for the life of the development; and			
B	B18 (j)	incorporate the concept plan titled "Extract civil concept design plan C110_S4.55 Revision P1" from the Response to Submissions State Significant Development Modification SSD-8662-MOD-1 prepared by BBC Consulting Planners Pty Ltd dated October 2020.			
B	B18A	<p>Within six months of approval of SSD-8662-Mod-1, the Applicant must prepare a Stormwater Monitoring Program, to the satisfaction of the Planning Secretary. The Program must:</p> <p>(a) be undertaken by a suitably qualified expert;</p> <p>(b) be undertaken in consultation with the EESG and NPWS;</p> <p>(c) describes the measures undertaken to monitor storm events greater than the 1% Annual Exceedance Probability events in the western vegetation zone and Towra Point Nature Reserve Ramsar Site (TPNRRS);</p> <p>(d) outline the contingency plan if the monitoring indicates any of the impact assessment criteria or performance criteria has been exceeded;</p> <p>(e) incorporate a program for ongoing monitoring and review; and</p> <p>(f) mechanisms to report results to relevant agencies</p>	<p>The previous audit (September 2021) identified that a Stormwater Monitoring Program was not developed within the six-month period (December 2020 to June 2021).</p> <p>A Stormwater Monitoring Program has now been developed by Redditus Consulting, Report No. 21310R01 dated 9 February 2022, Version 2 and includes appropriate mitigation measures.</p> <p>Consultation presented as evidence as per emails dated 25 February 2022 from Dicker Data to National Parks and Wildlife Services and NSW Environment, Energy and Science.</p> <p>As Dicker Data is awaiting reply from EESG and NPWS, the Stormwater Monitoring Program is unable to be submitted to the Department at the time of this audit.</p>	<p>NC-04: The Stormwater Monitoring Program has been developed and is awaiting response from the EES and NPWS.</p> <p>Recommendation: The Stormwater Monitoring Program must be submitted to and approved by DPE to ensure compliance with SSD-8662-Mod-1 B18A.</p>	Non-Compliant

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B19	Flood Management Prior to the commencement of operation, the Applicant must prepare a Flood Emergency Response Plan (FERP) to the satisfaction of the Planning Secretary. The FERP must form part of the CEMP and OEMP required by Conditions C2 and C5 and must:	The Flood Emergency Response Plan (Ref J1902_R2) was submitted to DPE on 24/09/2019 and approved by DPE on 3/10/2019. It is included as part of the OEMP, Appendix C as approved by DPE 3 February 2021.		Compliant
B	B19 (a)	be prepared by a suitably qualified and experienced person(s);	The FERP was prepared by FloodMit Pty Ltd.		
B	B19 (b)	address the provisions of the Floodplain Risk Management Guideline (OEH, 2007);	The FERP addresses the provisions as per Sections: Floodplain Risk Management Guidelines (OEH 2007), The Flood Risk.		
B	B19 (c)	include details of:	The FERP includes the following:		
B	B19 (c) (i)	flood emergency responses;	Section: Site Emergency Response Measures		
B	B19 (c) (ii)	predicted flood levels;	Section: Predicted Flood Levels		
B	B19 (c) (iii)	flood warning time and flood notification;	Section: Flood Warning time and Flood Notification.		
B	B19 (c) (iv)	assembly points and evacuation routes;	Section: Access and Evacuation Protocols.		
B	B19 (c) (v)	evacuation and refuge protocols; and	Section: Access and Evacuation Protocols.		
B	B19 (c) (vi)	awareness training for employees and contractors.	Section: Awareness & Training		
B	B20	The Applicant must:	The FERP was submitted to DPE on 24/09/2019 and approved by DPE on 3/10/2019.		Compliant
B	B20 (a)	not commence construction until the FERP required by condition B19 is approved by the Planning Secretary; and			

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B20 (b)	implement the most recent version of the FERP approved by the Planning Secretary for the duration of the development.	The FERP is being implemented through the OEMP.		
B	B21	All floor levels must be no lower than RL 3.7 m AHD or the 1% Annual Exceedance Probability flood level plus 500 mm of freeboard.	All floor levels are no lower than RL 3.7m AHD or the 1% Annual Exceedance Probability flood level plus 500 mm of freeboard as per previous audit evidence: WMK DESIGN STATEMENT 2020.02.20 V2		Compliant
B	B22	The car park finished surface level must be no lower than RL 3.2 m AHD or the 1% Annual Exceedance Probability flood level.	Verified during the previous audit as per Civil Design Certificate & Email to Certifier, Dicker Data Office & Warehouse Development Captain Cook Drive, Kurnell. Civil Design Certificate dated 5 March 2020 by TTW		Compliant
B	B23	Any structures below the 1% Annual Exceedance Probability plus 500 mm of freeboard must be constructed from flood compatible building components.	Verified during the previous audit as per Civil Design Certificate & Email to Certifier, Dicker Data Office & Warehouse Development Captain Cook Drive, Kurnell Civil Design Certificate dated 5 March 2020 by TTW		Compliant
B	B24	Groundwater Management Prior to the commencement of construction, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must form part of the CEMP required by Condition C2. The GMP must:	Construction is complete. The development is now operational. A Groundwater Management Plan was prepared: 19066RP01 GMP Version 1 Report No: 19066RP01 GMP, Report Date: 3 May 2019, Revision Text: Version 1, and approved by DPE as part of the CEMP 3/10/2019, as verified during the previous audit (September 2021)		Compliant
B	B24 (a)	be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;			
B	B24 (b)	provide the following:			
B	B24 (b) (i)	flood emergency responses;			
B	B24 (b) (ii)	predicted flood levels;			
B	B24 (b) (iii)	flood warning time and flood notification;			

Audit Compliance Codes: C: Compliant NC: Non-Compliant: NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B25	The Applicant must:	DPE approved the GMP as part of the CEMP on 3/10/2019. Construction is now complete.		Compliant
B	B25 (a)	not commence construction until the GMP required by condition B24 is approved by the Planning Secretary; and			
B	B25 (b)	implement the most recent version of the GMP approved by the Planning Secretary for the duration of the development.			
B	B26	The Applicant must obtain any necessary water related approvals from Dol in the event that groundwater is likely to be intercepted or extracted during construction works.	Not triggered. Groundwater was not intercepted.		Not Triggered
B	B27	Hydrology The Applicant must ensure that any works within watercourses or on waterfront land is undertaken in accordance with Dol's 'Guidelines for Controlled Activities on Waterfront Land (2018)'.	No works within the watercourse.		Not Triggered
B	B28	BIODIVERSITY Removal of Vegetation No more than 1.2 hectares (ha) of vegetation as described in the 'Biodiversity Development Assessment Report' prepared by Biosis dated 22 February 2018 and the 'Arboricultural Impact Assessment report' prepared by Arboreport Vegetation Management Consultants dated 4 April 2018 shall be cleared.	Construction is complete. The development is now operational. No further vegetation has been removed.		Compliant
B	B29	The Applicant must ensure all vegetation to be retained on site is protected during construction works as described in the 'Arboricultural Impact Assessment report' prepared by Arboreport Vegetation Management Consultants dated 4 April 2018.	Construction is complete. The development is now operational. Vegetation retained as per site inspection photos.		Compliant

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B30	Biodiversity Management Plan Prior to the commencement of clearing for construction, the Applicant must prepare and implement a Biodiversity Management Plan (BMP) for the development. The BMP must be prepared in consultation with EESG and ensure that:	Clearing is now complete. The development is in its operational phase. The Biodiversity Management Plan has been updated in accordance with B30A.		Compliant
B	B30 (a)	any felled native trees which are greater than approximately 25-30 cm in diameter and 3 m in height are salvaged and used to enhance habitat at the site;			
B	B30 (b)	remnant native vegetation removed from the site, especially juvenile plants are translocated to the proposed landscape areas;			
B	B30 (c)	the topsoil from the removal of native vegetation is used in site landscaping; and			
B	B30 (d)	seed from the native plants removed from the site is collected and used in site landscaping.			
B	B30A	Within six months of approval of SSD-8662-Mod-1, the Applicant must update the BMP required under condition B30, to the satisfaction of the Planning Secretary. The BMP must be prepared in consultation with EESG and must: (a) be prepared by a suitably qualified expert; (b) show the specific vegetation 'no-go' zones on site; (c) outline the vegetation and tree protection measures to be used in protection zones; (d) outline specific performance measures and performance monitoring procedures; (e) detail the vegetation to be removed for works approved under SSD-8662-Mod-1; (f) detail the vegetation to be replaced for works approved under SSD-8662-Mod-1; (g) describe the roles and responsibilities of key personnel for the BMP; and	The Biodiversity Management Plan was updated and is in draft form – Draft Version 03 dated 21 December 2021, ref 36157.Cpt.Cook.Dr.BMP.DFT04.20211221. (a) Prepared by Biosis (b) No-Go zones are identified in Figure 2 (c) Fencing and signage as vegetation and tree protection measures (d) Table 2 Performance Criteria and Responsibilities (e) Section 1.2.1 Vegetation to be removed for works approved under SSD and SSD-8662-Mod-1 (f) Table 2 Performance Criteria and Responsibilities, and Section 4.1 Vegetation replacement for works approved under SSD-8662 and SSD-8662 Mod-1 (g) Table 2 Performance Criteria and Responsibilities (h) 1.3 Procedure to contact EESG if additional vegetation clearing is required for the (i) maintenance of structures in the vegetation zones and Table 2 Performance Criteria and Responsibilities	NC-05: The Biodiversity Management Plan has been updated by Biosis and has not yet been submitted to EESG and DPE. Recommendation: The Biodiversity Management Plan must be submitted for EESG consultation. Following the EESG response, the BMP must be submitted to and approved by the DPE, to ensure compliance with SSD-8662-Mod-1 B30A.	Non-Compliant

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
		(h) detail the procedures to contact EESG if any additional vegetation clearing is required for the maintenance of structures in the vegetation zones.			
B	B31	Landscaping The Applicant must ensure the site landscaping features a diversity of native vegetation from the relevant native vegetation communities. The landscaping must:	The updated Biodiversity Management Plan (Draft Version 03) dated 21 December 2021, ref 36157.Cpt.Cook.Dr.BMP.DFT04.20211221, includes Section 4.6 Landscape species planting list, and Appendix 2 Recommended planting species list.		Compliant
B	B31 (a)	comprise native provenance trees, shrubs and groundcover species which are consistent with the Plant Community Types described in the Biodiversity Development Assessment Report prepared by Biosis dated 22 February 2018;	Refer to photos of site inspection for the status of the landscaping.		
B	B31 (b)	comply with the principles of Appendix 5 of Planning for Bushfire Protection 2006;			
B	B31 (c)	feature semi-mature trees (with a minimum tree height of 2 metres and/or plant container size of at least 50 litres);			
B	B31 (d)	achieve a minimum of 4 plants per square metre; and			
B	B31 (e)	feature native grass species (such as <i>Zoysia macrantha</i> 'Nara') in turfed areas.			
B	B32	CONTAMINATION Site Auditor Prior to the commencement of any earthworks or remediation works on site, the Applicant must engage a Site Auditor accredited under the <i>Contaminated Land Management Act 1997</i> NSW Site Auditor Scheme.	Earthworks complete. Accredited EPA Site Auditor engaged as verified during previous audit as per engagement letter dated 21 February 2019.		Compliant

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B33	Prior to the commencement of any earthworks or remediation on site, the 'Remediation Action Plan, 238-258 Captain Cook Drive, Kurnell' prepared by WSP, 27 February 2018 (Revision 4) must be reviewed and, where required, amended to address any requirements of the Site Auditor.	Earthworks complete. Accredited EPA Site Auditor approved the Remediation Action Plan under Interim Advise No.5 dated 30 August 2018.		Compliant
B	B34	Prior to the commencement of any earthworks or remediation on site, the Site Auditor must provide written advice to the Planning Secretary confirming the site is capable of being made suitable for the proposed development with the implementation of the final remediation approach.	Earthworks complete. DPE 8 July 2019 confirmed B34 was met.		Compliant
B	B35	The Applicant must ensure the remediation works are undertaken by a suitably qualified and experienced consultant(s) in accordance with the Remediation Action Plan endorsed by the Site Auditor and relevant guidelines produced or approved under the <i>Contaminated Land Management Act 1997</i> .	Remediation works complete and undertaken by Absolute Contracting Pty Ltd, licence AD213119 valid from 16/01/2019 to 15/01/2024		Compliant
B	B36	Upon completion of the remediation works and prior to occupation, the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement. The Site Audit Report and Site Audit Statement must:	Remediation works complete. DPE approved Site Audit Report 4 December 2020.		Compliant
B	B36 (a)	be prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017; and			
B	B36 (b)	demonstrate that the site is suitable for its intended warehouse and distribution centre and associated office land uses with the implementation of a Long Term Environmental Management Plan.			

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B37	Long Term Environmental Management Plan Prior to the finalisation of the Site Audit Statement and Site Audit Report, the Applicant must submit a Long Term Environmental Management Plan (LTEMP) for the development to the satisfaction of the Planning Secretary.	The Long Term Environmental Management Plan (LTEMP) is unchanged from previous audit which was approved by DPE on 5 November 2020		Compliant
B	B38	The LTEMP is to:	The Long Term Environmental Management Plan (LTEMP) is unchanged from previous audit which was approved by DPE on 5 November 2020		Compliant
B	B38 (a)	address all environmental impacts of the development's construction and operational phases;			
B	B38 (b)	recommend any systems/controls to be implemented to minimise the potential for any adverse environmental impact(s);			
B	B38 (c)	incorporate a programme for ongoing monitoring and review to ensure that the LTEMP remains contemporary with relevant environmental standards; and			
B	B38 (d)	mechanisms to report results to relevant agencies (e.g. Council and EPA).			
B	B39	Upon completion of the Site Audit Statement and Site Audit Report, the Applicant must:	The Long Term Environmental Management Plan (LTEMP) is unchanged from previous audit which was approved by DPE on 5 November 2020		Compliant
B	B39 (a)	implement the approved LTEMP; and			
B	B39 (b)	provide evidence to the Planning Secretary that the LTEMP is listed on the relevant planning certificate for the land, issued under section 10.7 of the <i>Environmental Planning and Assessment Act 1979</i> , for the development.			

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B40	Asbestos The Applicant must ensure that any asbestos encountered during the remediation and construction works is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including:	Remediation and construction works are now complete. An Asbestos Management Plan was developed and implemented during the works as verified in the previous audits.		Compliant
B	B40 (a)	Work Health and Safety Regulation 2017;			
B	B40 (b)	Model Code of Practice – How to Manage and Control Asbestos in the Workplace, 2016 Safe Work Australia;			
B	B40 (c)	Model Code of Practice – How to Safely Remove Asbestos, 2016 Safe Work Australia; and			
B	B40 (d)	Protection of the Environment Operations (Waste) Regulation 2014.			
B	B41	Acid Sulphate Soils Management Plan The Applicant shall prepare and implement an Acid Sulphate Soil Management Plan for construction and demolition in accordance with the NSW EPA's 'Acid Sulphate Soils Manual 1998'.	An Acid Sulphate Soil Management Plan 84677.02.R.001.Rev1 dated 24 August 2018 was prepared by Douglas Partner is appended to the OEMP as Appendix D.		Compliant
B	B42	FIRE PROTECTION AND MANAGEMENT Asset Protection Zones At the commencement of construction, and in perpetuity, the Applicant must manage the area around the building as an asset protection zone as outlined in Section 4.1.3 and Appendix 5 of Planning for Bushfire Protection 2006 and the NSW Rural Fire Services' publication Standards for asset protection zones. This is to be performed as outlined in the bushfire protection assessment for the development prepared by Australian Bushfire Protection Planners Pty Ltd (dated 8 May 2018, Ref: B172990-3).	The Bush Fire Protection & Management Asset Protection Zone prepared by Australian Bushfire Protection Planners Pty Ltd is being implemented at the site as verified during the site inspection. Bushfire Emergency Evacuation Plan [BEEP], April 2020 developed and implemented.		Compliant

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B43	Design and Construction The Applicant must ensure the building and building elements in the development complies with the 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate or the bushfire attack level (BAL) 12.5 in Sections 3 and 8 of Australian Standard AS 3959-2009 'Construction of buildings in bush fire-prone areas'. The Applicant must also ensure:	<p>The development is still operating under the Interim Occupation Certificate No. E20031/IOC-01 dated 30 July 2021 from Elite Certification.</p> <p>Also refer to photos during site inspection.</p>		Compliant
B	B43 (a)	internal access roads comply with section 4.1.3(2) of Planning for Bushfire Protection 2006;			
B	B43 (b)	arrangements for emergency and evacuation comply with section 4.2.7 of Planning for Bushfire Protection 2006; and			
B	B43 (c)	the provision of water, electricity and gas complies with section 4.1.3 of Planning for Bushfire Protection 2006.			
B	B44	Bush Fire Emergency Management Prior to the commencement of operation, the Applicant must prepare a Bush Fire Emergency Management and Evacuation Plan which is consistent with NSW Rural Fire Services' publication <i>Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan</i> .	<p>This has been certified under the Interim Occupation Certificate No. E20031/IOC-01, 30 July 2021 – Elite Certification, wherein the development is still operating under.</p>		Compliant
B	B45	ABORIGINAL HERITAGE Aboriginal Cultural Heritage Management Plan (ACHMP) Before the commencement of any clearing or construction works, the Applicant must prepare an ACHMP for the development to protect and manage middens and other Aboriginal artefacts on the site. The plan must form part of the CEMP required by Condition C2 and must:	<p>Construction and clearing complete. The ACHMP was prepared by Coast History & Heritage June 2019 (approved by DPE as part of the CEMP 3/10/2019) and implemented as verified during the previous audit. The Aboriginal pad area continues to be preserved.</p>		Compliant

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B45 (a)	be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties;			
B	B45 (b)	be submitted to the satisfaction of the Planning Secretary prior to construction of any part of the development; and			
B	B45 (c)	describe the measures to protect middens and other Aboriginal artefacts on the site in perpetuity.			
B	B46	The Applicant must:	Construction and clearing complete. The ACHMP was prepared by Coast History & Heritage June 2019 (approved by DPE as part of the CEMP 3/10/2019) and implemented as verified during the previous audit. The Aboriginal pad area continues to be preserved.		Compliant
B	B46 (a)	not commence construction until the Aboriginal Cultural Heritage Management Plan is approved by the Planning Secretary; and			
B	B46 (b)	implement the most recent version of the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary for the duration of the development.			
B	B47	Unexpected Finds Protocol If any item or object of Aboriginal heritage significance is identified on site:	Process defined in the ACHMP. No unexpected finds to date.		Compliant
B	B47 (a)	all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;			
B	B47 (b)	a 10 m wide buffer area around the suspected item or object must be cordoned off; and			
B	B47 (c)	the Heritage NSW must be contacted immediately.			
B	B48	Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the <i>National Parks and Wildlife Act 1974</i> .	Process defined in the ACHMP. No unexpected finds to date.		Compliant

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B49	HISTORIC HERITAGE Unexpected Finds Protocol 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 recorded and evaluated and a proposal for the treatment of the remains submitted to the satisfaction of the Planning Secretary.	Process defined in the ACHMP. No unexpected finds to date.		Compliant
B	B50	AIR QUALITY Dust Minimisation The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	Construction and landscaping complete. No dust evident during site inspection. Refer to photos.		Compliant
B	B51	During construction, the Applicant must ensure that:	Construction and landscaping complete. No dust evident during site inspection. Refer to photos.		Compliant
B	B51 (a)	exposed surfaces and stockpiles are suppressed by regular watering;	Continued dust management addressed in the LTEMP, Section 5.5 Dust Suppression.		
B	B51 (b)	all trucks entering or leaving the site with loads have their loads covered;			
B	B51 (c)	trucks associated with the development do not track dirt onto the public road network;			
B	B51 (d)	public roads used by these trucks are kept clean; and			
B	B51 (e)	land stabilisation works are carried out progressively on site to minimise exposed surfaces.			

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating													
B	B52	<p>NOISE Hours of Work The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.</p> <p><i>Table 1 Hours of Work</i></p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Earthworks and construction</td> <td>Monday – Friday</td> <td>7 am to 6 pm</td> </tr> <tr> <td>Saturday</td> <td>8 am to 1 pm</td> </tr> <tr> <td rowspan="2">Operation</td> <td>Monday – Friday</td> <td>6.00 am to 10 pm</td> </tr> <tr> <td>Saturday</td> <td>6 am to 4 pm</td> </tr> </tbody> </table>	Activity	Day	Time	Earthworks and construction	Monday – Friday	7 am to 6 pm	Saturday	8 am to 1 pm	Operation	Monday – Friday	6.00 am to 10 pm	Saturday	6 am to 4 pm	Works conducted within the approved working hours only.		Compliant
Activity	Day	Time																
Earthworks and construction	Monday – Friday	7 am to 6 pm																
	Saturday	8 am to 1 pm																
Operation	Monday – Friday	6.00 am to 10 pm																
	Saturday	6 am to 4 pm																
B	B53	Works outside of the hours identified in condition B52 may be undertaken in the following circumstances:	Works conducted within the approved working hours only.		Compliant													
B	B53 (a)	works that are inaudible at the nearest sensitive receivers;																
B	B53 (b)	for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or																
B	B53 (c)	where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.																
B	B54	<p>Construction Noise Limits The development must be constructed to achieve the construction noise management levels detailed in the <i>Interim Construction Noise Guideline</i> (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 3.</p>	Construction complete. No noise complaints received to date.		Compliant													

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B55	FOOD PREPARATION AND STORAGE AREA The construction, fit-out and finishes of the food preparation and storage area must comply with the relevant food safety standards and the latest version of <i>Australian Standard AS 4674-2004 'Design Construction and Fitout of Food Premises'</i> .	Requirements certified under Interim Occupation Certificate E200331/IOC-01 which the development is still operating under. Due to Covid-19, the kitchen is not in operation with only drinks available to staff.		Compliant
B	B56	HAZARDS AND RISK The Applicant must store all chemicals, fuels and oils used on-site in accordance with:	No chemicals stored on site. The OEMP includes measures for chemical storage, oil spills, and fuel storage in the event of an emergency.		Compliant
B	B56 (a)	the requirements of all relevant Australian Standards; and			
B	B56 (b)	the NSW EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i> if the chemicals are liquids.			
B	B57	In the event of an inconsistency between the requirements B56(a) and B56(b), the most stringent requirement must prevail to the extent of the inconsistency.	The OEMP includes measures for chemical storage, oil spills, and fuel storage in the event of an emergency.		Compliant
B	B58	Bundling The Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i> (Department of Environment and Climate Change, 2007).	No chemicals stored on site. The OEMP includes measures for chemical storage, oil spills, and fuel storage in the event of an emergency.		Compliant
B	B59	WASTE MANAGEMENT Pests, Vermin and Noxious Weed Management The Applicant must:	Regular pest/vermin/weed control undertaken as evidenced in the following Pestlogic invoices which includes pests covered, areas serviced, comments / warranties:		Compliant
B	B59 (a)	implement suitable measures to manage pests, vermin and declared noxious weeds on the site; and	<ul style="list-style-type: none"> - 28/04/2021 Invoice No. 0025 (pests + vermin) - 11/06/2021 Invoice No. 0222 (pests + vermin) - 02/08/2021 Invoice No. 0234 (weeds + shrubs) 		

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B59 (b)	inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area. <i>Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.</i>	<ul style="list-style-type: none"> - 12/08/2021 Invoice No. 0242 (pests + vermin, weed treatment) - 07/09/2021 Invoice No. 0006 (weeds + shrubs) - 15/10/2021 Invoice No. 0018 (pests + vermin) - 24/10/2021 Invoice No. 0025 (pests + weeds + shrubs) - 30/10/2021 Invoice No. 0199 (weeds) - 11/02/2022 Invoice No. 0110 (pests + vermin) - 23/02/2022 Invoice No. 0124 (weeds) <p>Rodent traps in place at warehouse doors (refer to photos).</p> <p>The BMP identifies weed species and weed management measures.</p>		
B	B60	Waste Storage and Processing Prior to the commencement of operation, the Applicant must obtain agreement from Council for the design of the waste storage area for the warehouse and associated office.	As per previous audit, Sutherland Shire Council's acceptance for SSD 8662 Consent Conditions B60 & B61 Waste Storage was provided 18 September 2020.		Compliant
B	B61	Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.	Waste segregation in place as evidenced – refer to photos from site inspection demonstrating recyclables, shrink wrap, general waste bins within the warehouse, with recycling and general waste bins available in all kitchen areas.		Compliant
B	B62	VISUAL AMENITY Lighting The Applicant must ensure the lighting associated with the development:	As verified during the previous audit, lighting was completed as designed.		Compliant
B	B62 (a)	complies with the latest version of AS 4282-1997 - <i>Control of the obtrusive effects of outdoor lighting</i> (Standards Australia, 1997); and			
B	B62 (b)	is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.			

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
B	B63	Fencing All fencing must be erected in accordance with the development plans included in Appendix 1. Note: This condition does not apply to temporary construction and safety related signage and fencing	Fencing established around the site perimeter as per the development plans in Appendix 1. Refer to photos.		Compliant
B	B64	Airspace Protection Prior to the issue of a Construction Certificate for above ground works, the Applicant must submit plans to the Planning Secretary endorsed by the Department of Infrastructure, Regional Development and Cities to ensure the development comprises non-reflective materials in accordance with the <i>Airports Act 1996</i> and <i>Airports (Protection of Airspace) Regulations 1996</i> .	Construction is now complete. All plans relevant to construction were approved by DPE. The Sydney Airport Letter dated 22 July 2019 was submitted to DPE together with Construction Certificates.		Compliant
B	B65	COMMUNITY ENGAGEMENT The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified on Figure 8 in Appendix 2 of this Development Consent, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.	Previous consultation occurred with Desalination Plant. No complaints received to date.		Compliant
		PART C – ENVIRONMENTAL MANAGEMENT,	REPORTING AND AUDITING		
C	C1	ENVIRONMENTAL MANAGEMENT Management Plan Requirements Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:	The development is operating under the Long Term Environmental Management Plan (LTEMP) 12 October 2020, Version 3 as approved by DPE on 5 November 2020 and Operational Environmental Management Plan (OEMP) dated 5 January 2021, Version 3, approved by DPE on 3 February 2021.		Compliant
C	C1 (a)	detailed baseline data;			
C	C1 (b)	details of:			
C	C1 (b) (i)	the relevant statutory requirements (including any relevant approval, licence or lease conditions);			

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
C	C1 (b) (ii)	any relevant limits or performance measures and criteria; and			
C	C1 (b) (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;			
C	C1 (c)	a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;			
C	C1 (d)	a program to monitor and report on the:			
C	C1 (d) (i)	impacts and environmental performance of the development; and			
C	C1 (d) (ii)	effectiveness of the management measures set out pursuant to paragraph € above;			
C	C1 (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;			
C	C1 (f)	a program to investigate and implement ways to improve the environmental performance of the development over time;			
C	C1 (g)	a program to investigate and implement ways to improve the environmental performance of the development over time;			
C	C1 (g) (i)	incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);			
C	C1 (g) (ii)	complaint;			

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SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
C	C1 (g) (iii)	failure to comply with statutory requirements; and			
C	C1 (h)	a protocol for periodic review of the plan. <i>Note: the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</i>			
C	C2	OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	The Operational Environmental Management Plan (OEMP) 238-258 Captain Cook Drive, Kurnell NSW Prepared for Dicker Data Limited 5 January 2021 approved by DPE on 3 February 2021.		Compliant
C	C3	As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following:	The Operational Environmental Management Plan (OEMP) includes the following:		Compliant
C	C3 (a)	describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;	Section 5 Operational Environmental Management Structure and Responsibility		
C	C3 (b)	describe the procedures that would be implemented to:	The OEMP describes procedures to implement as follows:		
C	C3 (c)	Flood Emergency Response (see Condition B19);	Section 5.8 Flood Emergency Response Plan, and Appendix C		
C	C3 (d)	Groundwater Management Plan (see Condition B24);	Appendix D Acid Sulphate Soil Management Plan		
C	C3 (e)	Aboriginal Cultural Heritage Management Plan (see Condition B45); and	Section 5.12 Aboriginal Heritage Management Plan		
C	C3 (f)	Community Consultation and Complaints Handling.	Section 5.4 Complaints Management		
C	C4	The Applicant must:	Construction is complete. The CEMP was approved by DPE on the 3/10/2019.		Compliant
C	C4 (a)	not commence construction of the development until the CEMP is approved by the Planning Secretary; and			

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SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
C	C4 (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.			
C	C5	CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN 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.	The Construction Environmental Management Plan (CEMP) dated 23 September 2019 was approved by DPE on 3/10/2019. Construction is now complete, and the development is operating under the OEMP and LTEMP.		Compliant
C	C6	As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following:	The Construction Environmental Management Plan (CEMP) dated 23 September 2019 was approved by DPE on 3/10/2019 and verified during the previous audits. Construction is now complete, and the development is operating under the OEMP and LTEMP.		Compliant
C	C6 (a)	Construction Traffic Management Plan (see Condition B1);			
C	C6 (b)	Erosion and Sediment Control Plan (see Condition B16);			
C	C6 (b) (i)	keep the local community and relevant agencies informed about the operation and environmental performance of the development;			
C	C6 (b) (ii)	receive, handle, respond to, and record complaints;			
C	C6 (b) (iii)	resolve any disputes that may arise;			
C	C6 (b) (iv)	respond to any non-compliance;			
C	C6 (b) (v)	respond to emergencies; and			
C	C6 (c)	include the following environmental management plans:			

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
C	C6 (c) (i)	Work Place Travel Plan (see Condition B12); and			
C	C6 (c) (ii)	Flood Emergency Response (see Condition B19).			
C	C7	The Applicant must:	<p>The Operational Environmental Management Plan (OEMP) 238-258 Captain Cook Drive, Kurnell NSW Prepared for Dicker Data Limited dated 5 January 2021 was approved by DPE on 3 February 2021.</p> <p>The development is still operating under the Interim Occupation Certificate No. E20031/IOC-01 dated 30 July 2021 from Elite Certification.</p>		Compliant
C	C7 (a)	not commence operation until the OEMP is approved by the Planning Secretary; and			
C	C7 (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).			
C	C8	REVISION OF STRATEGIES, PLANS AND PROGRAMS Within three months of:	The CEMP and subplans will need to be updated once the SSD Modification 2 is received from DPE.		Not Triggered
C	C8 (a)	the submission of a Compliance Report under condition C15;	This remains as not triggered.		
C	C8 (b)	the submission of an incident report under condition C10;			
C	C8 (c)	the submission of an Independent Audit under condition C18;			
C	C8 (d)	the approval of any modification of the conditions of this consent; or			
C	C8 (e)	the issue of a direction of the Planning Secretary under condition A2(b) which requires a review, the strategies, plans and programs required under this consent must be reviewed.			

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
C	C9	<p>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.</p> <p><i>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.:</i></p>	<p>The CEMP and subplans will need to be updated once the SSD Modification 2 was received from DPE.</p> <p>This remains as not triggered.</p>		Not Triggered
C	C10	<p>REPORTING AND AUDITING Incident Notification, Reporting and Response The Department must be notified in writing to compliance@planning.nsw.gov.au 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 4.</p>	<p>No incidents reported to date.</p>		Not Triggered
C	C11	<p>Non-Compliance Notification The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.</p>	<p>Four non-compliances were raised during the previous audit which occurred on the 13-14 September 2021 Dicker Data notified DPE within 7 days of receiving the final audit report as per letter notification dated 29 September 2021 and portal lodgement PA-30 dated 11 October 2021, on the day the audit report was finalised.</p>	<p>Dicker Data to note that the four non-compliances raised during this audit will need to be notified in writing to the DPE to ensure compliance with C11.</p>	Compliant

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
C	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.	Letter dated 29 September 2021 and portal lodgement PA-30 included the description as 'Advisory letter for the Non Compliance and is submitted in accordance to condition C11 of the SSD 8662'. The letter listed the four non-compliances in a table with the applicable consent condition, details of the non-compliance, reasons for the non-compliance, and the action taken.		Compliant
C	C13	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	No incidents occurred to date. The non-compliances were raised as per condition C11.		Not Triggered
C	C14	Compliance Reporting No later than 6 weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department.	Construction is complete. This condition was addressed in the previous audits as per SSD 8662 238-258 Captain Cook Drive Kurnell Compliance Monitoring Report Dicker Data Ltd Ver 0.1, prepared and submitted to DPE on 14 November 2019		Compliant
C	C15	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	An Advisory Letter received from DPE on 10 June 2020, adaptation of the requirements of the revised 2020 Compliance Reporting and Audit Post Approval Requirements. Refer to Appendix F.	Dicker Data to note: Operational Compliance Report is required for the duration of operation at intervals, no greater than 52 weeks from the date of commencement of operation – ongoing reporting.	Not Triggered
C	C16	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done.	An Advisory Letter received from DPE on 10 June 2020 notifying the adaptation of the requirements of the revised 2020 Compliance Reporting and Audit Post Approval Requirements.		Compliant

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
C	C17	Independent Audit No later than 4 weeks before the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department.	As per the advisory letter received on 10 June 2020 from DPE submission of the revised audit program was no longer required.		Compliant
C	C18	Independent Audits of the development must be carried out in accordance with:	Independent audits of the development have been carried out as follows:		Compliant
C	C18 (a)	the Independent Audit Program submitted to the Department under condition C17 of this consent; and	As per the advisory letter received on 10 June 2020 from DPE, submission of the revised audit program was no longer required.		
C	C18 (b)	the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	Audits have been undertaken in accordance with the Independent Audit Post Approval Requirements (IAPAR) 2020.		
C	C19	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:	Independent audits were undertaken in accordance with the updated Independent Audit Post Approval Requirements (IAPAR) 2020.	Dicker Data to note to make this Independent Audit Report and response to it publicly available no later than 60 days after submission to the DPE and notify DPE in writing at least 7 days before this is done	Compliant
C	C19 (a)	review and respond to each Independent Audit Report prepared under condition C18 of this consent;	The previous audit (undertaken 13-14 September 2021) draft report issued 27 September 2021 by email. Dicker Data responded to email 11 October 2021 confirming report was acceptable.		
C	C19 (b)	submit the response to the Department; and	Dicker Date letter 02/12/2021 to DPE in response to audit report dated 11 October 2021.		
C	C19 (c)	make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.	Previous audit Independent Audit Report from October 2021 is available on the website.		

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
C	C20	<p>Monitoring and Environmental Audits 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.</p> <p><i>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.</i></p>	<p>A total of 5 Independent Environmental Audits including this one, were conducted within the required timeframes. There were no environmental incidents or complaints reported against the SSD. The development is now operational.</p>		Compliant
C	C21	<p>ACCESS TO INFORMATION A site notice(s):</p>	<p>Project website still in place: https://www.dickerdata.com.au/facility/238-258-captain-cook-drive-kurnell-development</p>		Compliant
C	C21 (a)	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must: make the following information and documents (as they are obtained or approved) publicly available on its website</p>	<p>The following information was made publicly available as verified on the project website:</p> <ul style="list-style-type: none"> - Environmental Impact Statement - Dicker Data Response to Submissions - Development Consent APPROVED 20190412 Dicker Data Warehouse SSD 8662 - Modification of Development Consent (Mod-1) - Site Plan and Staging Plan. It is noted that the development's construction and operation are not staged and is only separated as Early Works, Construction Works and Acceleration Lane Works. - Noise Report 		
C	C21 (a) (i)	the documents referred to in condition A2 of this consent;			
C	C21 (a) (ii)	all current statutory approvals for the development;			

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
C	C21 (a) (iii)	all approved strategies, plans and programs required under the conditions of this consent;	<ul style="list-style-type: none"> - Stormwater Report - Community Contact Information Sign 238 CCD - Complaints Register - Pre-Construction Compliance Monitoring Report Dicker Data Ltd Ver 0.1 - Independent Audit report for October 2021 - Various management plans and approvals <p>At the time of the audit the information presented on the website was found to be up to date.</p>		
C	C21 (a) (iv)	the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;			
C	C21 (a) (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;			
C	C21 (a) (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;			
C	C21 (a) (vii)	a summary of the current stage and progress of the development;			
C	C21 (a) (viii)	contact details to enquire about the development or to make a complaint;			
C	C21 (a) (ix)	a complaints register, updated monthly;			
C	C21 (a) (x)	the Compliance Report of the development;			
C	C21 (a) (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;			
C	C21 (a) (xii)	any other matter required by the Planning Secretary; and			
C	C21 (b)	keep such information up to date, to the satisfaction of the Planning Secretary.			

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
		APPENDIX 3 - APPLICANT'S MANAGEMENT AND	MITIGATION MEASURES		
Appx 3	1	Communications Prior to Construction: The Proponent will appoint a communications manager who will be the point of contact for the community during construction.	Construction is now complete. A Communications Manager was nominated during construction as verified during the previous audits.		Compliant
Appx 3	2s	Construction Impacts Prior to Construction: The Proponent will develop a Construction Environmental Management Plan (CEMP) for the project	Construction is now complete. A CEMP was developed and implemented for the duration of construction.		Compliant
Appx 3	3	Aboriginal Heritage Prior to Construction: An <i>Aboriginal Cultural Heritage Management Plan</i> (ACHMP) would be prepared and implemented for the duration of construction	Construction is now complete. The ACHMP was prepared by Coast History and Heritage and implemented for the duration of construction.		Compliant
Appx 3	4	Aboriginal Heritage During Construction: All workers on site for the duration of demolition and excavation works must be subject to an Aboriginal Heritage Induction to make them aware of the provisions of the ACHMP	Construction is now complete. The ACHMP was included in the induction.		Compliant
Appx 3	5	Aboriginal Heritage During Operation: The unexpected finds protocol as detailed in the ACHMP would continue to be implemented during site operations.	Included as per the LTEMP Version 3 dated 12 October 2020, Section 5.10 – Unexpected Finds Protocol and OEMP Version 3 dated 5 January 2021, Section 5.14.		Compliant
Appx 3	6	Aboriginal Heritage During Construction: The results of any monitoring and archaeological excavations that are undertaken will be fully documented in an updated Aboriginal Cultural Heritage Assessment report. Any Aboriginal archaeological remains uncovered during the recommended investigations will be recorded on the AHIMS Register.	Construction is now complete. Aboriginal pad area onsite continues to be preserved.		Compliant

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
Appx 3	7	Contamination During Construction: The proponent will implement the findings of the Remediation Action Plan for 238-258 Captain Cook Drive, Kurnell NSW dated February 2018 prepared by WSP Rev 4	Construction is now complete. LTEMP continues to be implemented.		Compliant
Appx 3	8	Contamination Prior to Construction: A Construction Environmental Management Plan would be developed that includes an unexpected finds protocol and details of the site induction for unexpected finds during the earthworks phase.	Construction is now complete. The Unexpected Finds Protocol is being implemented as per LTEMP Version 3 dated 12 October 2020, Section 5.10 – Unexpected Finds Protocol and OEMP Version 3 dated 5 January 2021, Section 5.14.		Compliant
Appx 3	9	Water Pollution During Operation: The Project will implement a stormwater management plan including measures to control and treat run-off and overflows in wet weather events.	A Stormwater Monitoring Program was developed, Report No. 21310R01 dated 9 February 2022, Version 2. The program is undergoing consultation with the EES and NPWS. The swale and overflow culvert were designed and constructed as per the Landscape Management Plan which was certified by the CA. Refer to site inspection photos. Following a heavy rain event, Dicker Data contacted Reditus Consulting 3/3/2022 who took water samples of the overflow.		Compliant
Appx 3	10	Biodiversity Construction: Landscaping works will be undertaken in accordance with the approved landscape drawings.	Construction is now complete. The development is still operating under the Interim Occupation Certificate for SSD 8662 was issued on 30 July 2021 by Elite Certification associated with Modification Application SSD 8662-Mod -1 22 Dec 2020 including Landscaping works confirmed during site inspection. Refer to photos.		Compliant
Appx 3	11	Biodiversity During Construction: Install appropriate exclusion fencing around trees and vegetation to be retained.	Construction is now complete. Trees retained as verified during site inspection. Refer to photos.		Compliant
Appx 3	12	Biodiversity During Construction: Implement the recommended measures in Section 5.1 of the BDAR during construction.	Construction is now complete. The BMP is being implemented.		Compliant

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
Appx 3	13	Biodiversity During Construction: Temporary infrastructure (plant sites and construction offices, access tracks, etc.) will be located in cleared areas away from vegetation to minimise vegetation removal.	Construction is now complete. The BMP is being implemented.		Compliant
Appx 3	14	Bushfire During Construction and Operation: The Recommendations of the Bushfire Protection Assessment for the Construction of the Proposed Dicker Data Warehouse on Lot 1 in DP 225973 & Lot 2 in DP 1088703 No. 238 - 258 Captain Cook Drive, Kurnell prepared by Australian Bushfire Protection Planners Pty issued 27.02.2018.	Recommended objectives of the Bushfire Protection Assessment prepared by Australian Bushfire Protection Planners Pty Ltd (issued 27/02/2018) are continued to be implemented including occupant protection, separation widths and defensible spaces, separation emergency vehicle access/egress, ongoing management and maintenance, and adequate utility services. Refer to photos.		Compliant
Appx 3	15	Soils During Construction: The Construction Environmental Management Plan will include erosion and sedimentation plans that would be prepared and implemented during the construction program.	Construction is now complete. Erosion and sedimentation control is included in the LTEMP, Section 5.6		Compliant
Appx 3	16	Soils During Construction: Stabilised exposed surfaces as soon as practicable.	Construction is now complete.		Compliant
Appx 3	17	Groundwater During Construction: A groundwater extraction licence would be obtained should groundwater be required for construction and/or operational activities.	Construction is now complete. This was not required. No groundwater extraction conducted on site.		Not Triggered
Appx 3	18	Noise and Vibration Prior to Construction: A Construction Environmental Management Plan would be implemented as part of construction.	Construction is now complete. CEMP and noise and vibration requirements were implemented as per previous audits.		Compliant

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
Appx 3	19	Visual Impact During Construction: External lighting designed to comply with Australian Standard AS4282, "Control of the Obtrusive Effects of Outdoor Lighting" Luminaires controlled to minimise light spill.	Construction is now complete. No night works occurred for the duration of construction.		Not Triggered
Appx 3	20	Ecologically Sustainable Development During Detailed Design: The following measures would be employed in detailed design to minimise consumption of resources, water and energy:	The development is now operational and verified during the previous audits and include the following: <ul style="list-style-type: none"> - Electric car charging bays in use - Solar panels operational - Rainwater tanks onsite - Sensor lighting - External shaded areas - Warehouse and office space well ventilated - Waste segregation bins were installed in every kitchen and in the warehouse. 		Compliant
Appx 3	20	- Water efficient fixtures, fittings and practices;	Refer to site inspection photos.		
Appx 3	20	- Energy and water efficient equipment;			
Appx 3	20	- Naturally ventilated spaces;			
Appx 3	20	- Rainwater harvesting for irrigation and toilet flushing;			
Appx 3	20	- Solar panels to be installed subject to resolving fallout from aircraft issues;			
Appx 3	20	- Efficient building management systems and equipment, including lighting;			
Appx 3	20	- Passive design elements such as building orientation, external shading, appropriate use of thermal mass, performance glazing, thermal efficiency of building fabric.			
Appx 3	21	Flood Management During Operations: The Emergency Response Plan is to include procedures to be followed in the event of flood.	The development is still operating under the Interim Occupation Certificate for SSD 8662 which was issued on 30 July 2021 by Elite Certification, associated with Modification Application SSD 8662- Mod -1 22 Dec 2020. The Flood Emergency Response Plan prepared by Floodmit Pty Ltd, May 2019 is included. The FERP is also appended to the OEMP as Appendix C.		Compliant

Audit Compliance Codes: C: Compliant NC: Non-Compliant; NT: Not triggered

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
		APPENDIX 4 INCIDENT NOTIFICATION	AND REPORTING REQUIREMENTS		
Appx 4	1	A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred.	Not triggered. No reported environmental incidents to date		Not Triggered
Appx 4	2	Written notification of an incident must:	Not triggered. No reported environmental incidents to date		Not Triggered
Appx 4	2 (a)	identify the development and application number;			
Appx 4	2 (b)	provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);			
Appx 4	2 (c)	identify how the incident was detected;			
Appx 4	2 (d)	identify when the applicant became aware of the incident;			
Appx 4	2 (e)	identify any actual or potential non-compliance with conditions of consent;			
Appx 4	2 (f)	describe what immediate steps were taken in relation to the incident;			
Appx 4	2 (g)	identify further action(s) that will be taken in relation to the incident; and			
Appx 4	2 (h)	identify a project contact for further communication regarding the incident.			

SSD Part No.	SSD Req. No.	SSD-8662-Mod-1 Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
Appx 4	3	INCIDENT REPORT REQUIREMENTS Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.	Not triggered. No reported environmental incidents to date		Not Triggered
Appx 4	4	The Incident Report must include:	Not triggered. No reported environmental incidents to date		Not Triggered
Appx 4	4 (a)	a summary of the incident;			
Appx 4	4 (b)	outcomes of an incident investigation, including identification of the cause of the incident;			
Appx 4	4 (c)	details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and			
Appx 4	4 (d)	details of any communication with other stakeholders regarding the incident.			

Appendix D. Consultation Records

The Department of Planning, Industry and Environment

Pater, Barbara

From: Julia Pope <Julia.Pope@planning.nsw.gov.au>
Sent: Monday, 14 March 2022 7:30 PM
To: Pater, Barbara
Cc: Maria Divis; Tungol, Annabelle
Subject: RE: Attn: Maria Divis - 238-258 Captain Cook Kurnell Warehouse Development - SSD 8662 - Independent Environmental Audit - Consultation

EXTERNAL

Thanks Barbara

I'm not aware of anything specific, except if you could check the status of the following:

- road safety audit requirements in Condition B 8A, Part B, Schedule 2 have been met; and
- management plans required to be updated by Mod 1 have been submitted and approved.

Thanks again.

Julia Pope
Team Leader Compliance - Metro

Compliance | Department of Planning and Environment
T 02 8217 2068 M 0448 229 658 | E julia.pope@planning.nsw.gov.au
Locked Bag 5022, 4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2124
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.

All post approval and compliance documents are to be submitted online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).

From: Pater, Barbara <Barbara.Pater@aquas.com.au>
Sent: Monday, 14 March 2022 2:04 PM
To: Julia Pope <Julia.Pope@planning.nsw.gov.au>
Cc: Maria Divis <Maria.Divis@planning.nsw.gov.au>; Tungol, Annabelle <Annabelle.Tungol@aquas.com.au>
Subject: RE: Attn: Maria Divis - 238-258 Captain Cook Kurnell Warehouse Development - SSD 8662 - Independent Environmental Audit - Consultation

Dear Julia,

Please find attached confirming Annabelle Tungol as the auditor.

Regards,

Barbara Pater | SAI Global Lead Environmental Auditor | AQUAS Consultant | Infrastructure support APP Limited
Please note part time: Monday to Thursday
A Level 7, 116 Miller Street, North Sydney NSW 2060 | a Cammeraygal country
T +61 2 9963 9908 | F +61 2 9954 1951 | M +61 415 764 785
E: barbara.pater@aquas.com.au | www.aquas.com.au |
AQUAS: enables compliance ~ verifies compliance

AQUAS acknowledges Aboriginal and Torres Strait Islander Peoples as the Traditional Custodians of the Land, Rivers and Sea. We acknowledge and pay our respects to the Elders past, present and emerging of all Nations.

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From: Julia Pope <Julia.Pope@planning.nsw.gov.au>
Sent: Monday, 14 March 2022 12:19 PM
To: Pater, Barbara <Barbara.Pater@aquas.com.au>
Cc: Maria Divis <Maria.Divis@planning.nsw.gov.au>
Subject: FW: Attn: Maria Divis - 238-258 Captain Cook Kurnell Warehouse Development - SSD 8662 - Independent Environmental Audit - Consultation

EXTERNAL

Dear Barbara

I refer to your email below.

Please note the IPAR 2020 requires the Planning Secretary's agreement of the audit team. I'm unable to locate a record approving the audit team. Could you please provide evidence of the Planning Secretary's approval, or submit the team's CVs for consideration.

Julia Pope
Team Leader Compliance - Metro

Compliance | Department of Planning and Environment
T 02 8217 2068 | M 0448 229 658 | E julia.pope@planning.nsw.gov.au
Locked Bag 5022, 4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2124
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.

All post approval and compliance documents are to be submitted online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).

From: Pater, Barbara [<mailto:Barbara.Pater@aquas.com.au>]
Sent: Monday, 14 March 2022 8:36 AM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Cc: Tungol, Annabelle <Annabelle.Tungol@aquas.com.au>
Subject: Attn: Maria Divis - 238-258 Captain Cook Kurnell Warehouse Development - SSD 8662 - Independent Environmental Audit - Consultation

Dear Maria,

I am writing to advise that AQUAS will be conducting the independent environmental audit of the Dicker Data Warehouse Development, as a requirement of the Development Approval SSD 8662 and Independent Audit Post Approval Requirements (IAPAR) 2020.

The audit will be conducted on the 24-25th March 2022, and will include a review of the operational progress onsite and operational requirements against SSD 8662. As per IAPAR 2020, the audit will be conducted within 26 weeks of the commencement of operation. With commencement of operation occurring October 2021, we confirm that the audit is within the 26 week timeframe.

Your feedback is very much appreciated. Thank you.

Regards,

Barbara Pater | SAI Global Lead Environmental Auditor | AQUAS Consultant | Infrastructure support APP Limited
Please note part time: Monday to Thursday
A Level 7, 116 Miller Street, North Sydney NSW 2060 | a Cammeraygal country
T +61 2 9963 9908 | **F** +61 2 9954 1951 | **M** +61 415 764 785
E: barbara.pater@aquas.com.au | www.aquas.com.au |
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Sutherland Shire Council

Pater, Barbara

From: Pater, Barbara
Sent: Monday, 14 March 2022 2:07 PM
To: Leanne Mariani
Cc: Slavco Bujaroski; Tungol, Annabelle
Subject: RE: 238-258 Captain Cook Kurnell Warehouse Development - SSD 8662 - Independent Environmental Audit - Consultation [APPC.mH20p]
Attachments: AQ1259.04-SSD 8662 Dicker Data Warehouse IEA Final Report (2021-10-11).pdf

Dear Leanne,

Please find attached as requested.

Regards,

Barbara Pater | SAI Global Lead Environmental Auditor | AQUAS Consultant | Infrastructure support APP Limited
Please note part time: Monday to Thursday
A Level 7, 116 Miller Street, North Sydney NSW 2060 | a Cammeraygal country
T +61 2 9963 9908 | F +61 2 9954 1951 | M +61 415 764 785
E: barbara.pater@aquas.com.au | www.aquas.com.au |
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From: Leanne Mariani <LMariani@ssc.nsw.gov.au>
Sent: Monday, 14 March 2022 12:10 PM
To: Pater, Barbara <Barbara.Pater@aquas.com.au>
Cc: Slavco Bujaroski <SBujaroski@ssc.nsw.gov.au>
Subject: RE: 238-258 Captain Cook Kurnell Warehouse Development - SSD 8662 - Independent Environmental Audit - Consultation [APPC.mH20p]

EXTERNAL

Hi Barbara,
Thank you for your email. Are you able to provide a copy of the most recent Audit Report for Council's review please?

Thank you
Leanne

SUTHERLANDSHIRE



Leanne Mariani
Environmental Assessment Officer – Environmental Science
Major Development Assessment – Shire Planning
Tel: 9710 0149 Mon – Tues – Wed

lmariani@ssc.nsw.gov.au
sutherlands.hire.nsw.gov.au

We acknowledge the traditional owners of the land on which we live, and pay our respects to elders past and present.
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From: Pater, Barbara <Barbara.Pater@aquas.com.au>
Sent: Monday, 14 March 2022 8:22 AM
To: Leanne Mariani <LMariani@ssc.nsw.gov.au>
Cc: Carolyn Howell <CHowell@ssc.nsw.gov.au>; Slavco Bujaroski <SBujaroski@ssc.nsw.gov.au>; Tungol, Annabelle <Annabelle.Tungol@aquas.com.au>
Subject: 238-258 Captain Cook Kurnell Warehouse Development - SSD 8662 - Independent Environmental Audit - Consultation [APPC.mH20p]

Dear Leanne,

As per requirement of DPIE Independent Audit Post Approval Requirements 2020, AQUAS needs to consult with you regarding any feedback or concern on the development of 238-258 Captain Cook Kurnell Warehouse.

Please confirm if there is anything that Dicker Data needs to submit to Council, or any concerns to focus on during this Operational Audit. The audit will be conducted on Thursday, 24 March 2022. However, you can still provide your response within 2 weeks from today.

Your feedback is very much appreciated. Thank you.

Regards,

Barbara Pater | SAI Global Lead Environmental Auditor | AQUAS Consultant | Infrastructure support APP Limited
Please note part time: Monday to Thursday
A Level 7, 116 Miller Street, North Sydney NSW 2060 | a Cammeraygal country
T +61 2 9963 9908 | **F** +61 2 9954 1951 | **M** +61 415 764 785
E: barbara.pater@aquas.com.au | www.aquas.com.au |
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Appendix E. DPIE Advisory Letter – Compliance Reporting and Independent Environmental Audit Post Approval Requirements (PAR's)



To Whom it May Concern

BY EMAIL ONLY:

10 June 2020

Dear Sir/Madam,

**Compliance Reporting and Independent Environmental Audit
Post Approval Requirements (PAR's)**

In December 2018, the Department of Planning, Industry and Environment (Department) introduced the Compliance Reporting and Independent Environmental Audit Post Approval Requirement (PAR) documents to assist proponents of State Significant projects in providing a robust compliance-based oversight of their developments.

Following the introduction of the PAR's, there has been a strong message from proponents about the benefit of all PAR's.

However, the Department recognises that the extensive reporting required by the PAR's can be an impost, particularly for lower scale projects. Accordingly, we have revised the PAR's to reduce reporting obligations (please note some projects may still require reporting requirements in addition to the PAR's which would be conditioned accordingly).

The revised PAR's will work to support construction projects through reducing the demand on compliance reporting however the increase in frequency of independent auditing will ensure the environmental performance and regulatory compliance is maintained for each project.

In updating the Compliance Reporting PAR (2020), we have:

1. *Removed the requirement for an audit submission schedule*
2. *Revisited the required reporting frequency*
3. *Removed the pre-construction and pre-operation reporting requirement*
4. *Removed the construction reporting requirement*
5. *Require Compliance Reporting only for operation and decommissioning*

We have updated the Independent Audit PAR (2020) to:

1. *Remove the requirement for an audit submission schedule*
2. *Increase the frequency of independent auditing to offset the removal of pre- and during-construction reporting*
3. *Strengthen the wording around items such as evidence requirements*

The updated PAR's, along with fact sheets, are available from the Department's website at:

<https://www.planning.nsw.gov.au/Assess-and-Regulate/About-compliance/Compliance-policy-and-guidelines>

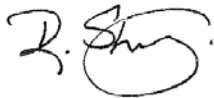


Planning,
Industry &
Environment

Approved, independent auditors on projects subject to independent environmental audit requirements can use this letter in responding to a non-conformance where a project has implemented the 2020 PARs when a condition requires compliance with the PAR (December 2018).

Should you have any questions relating to the revised PAR's or matters raised within this letter, please contact the undersigned on 9274 6306 or rob.sherry@planning.nsw.gov.au.

Yours sincerely,



Rob Sherry
Acting Director – Compliance
Planning & Assessment



Appendix F. Audit Photos – 25 March 2022



Independent Environmental Audit SSD 8662 Dicker Data

IEA - Operational Environmental Management

Friday, 25 March 2022

Prepared For Dicker Data

73 Notes



Photo 1 Electric car charge bays



Photo 2 Disabled parking areas



Photo 3 Dicker Data Reception area



Photo 4 Roundabout exit gate



Photo 5 Reception Lobby



Photo 6 Fire Indicator Panel



Photo 7 Stormwater overflow pit



Photo 8 Swale along the west perimeter



Photo 9 Stage 2 Warehouse
Cleanup works segregating materials and
grading



Photo 10 South perimeter



Photo 11 Trees had grown



Photo 12 Stage 2 Warehouse area clearing and grading



Photo 13 Possum sighting at south perimeter



Photo 14 Stage 2 Warehouse area

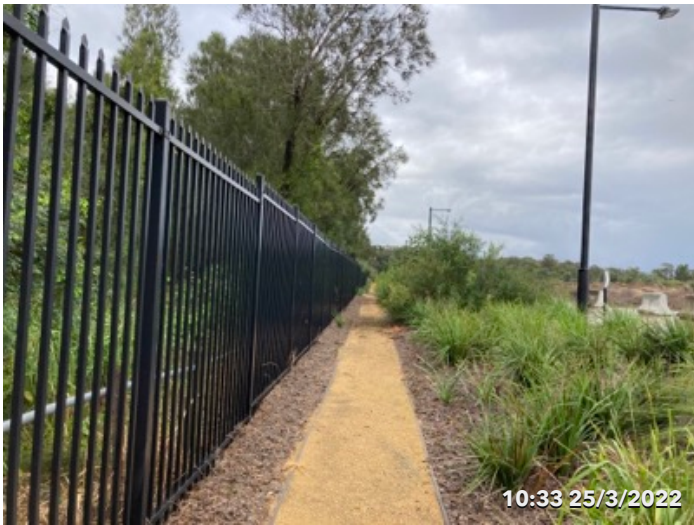


Photo 15 South Perimeter walkway
Weed management has been undertaken regularly



Photo 16 Retained logs for habitat



Photo 17 Stormwater swale at the eastern perimeter



Photo 18 Duck sighting at the swale



Photo 19 Looking at the eastern perimeter of the site



Photo 20 Stage 2 Warehouse area



Photo 21 Mini golf area well maintained



Photo 22 Spill way has been sampled
Water quality test results yet to come.



Photo 23 Lantana will be managed
accordingly



Photo 24 Weed spray was conducted.



Photo 25 Bbq and mini golf area



Photo 26 Haul road



Photo 27 Wastes bins
Segregation implemented

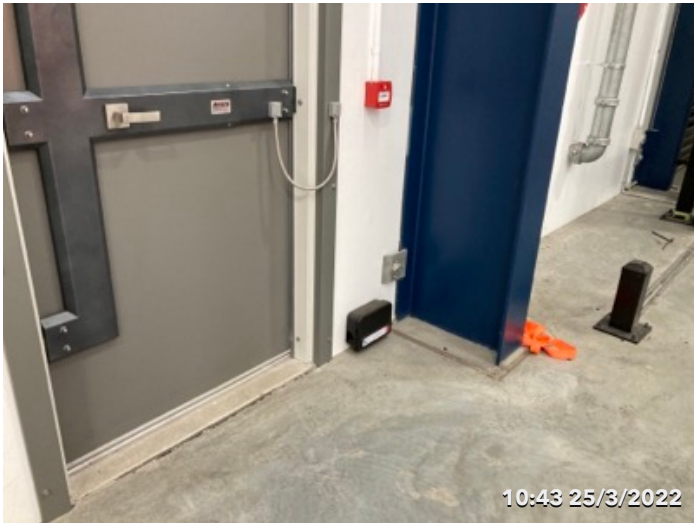


Photo 28 Vermin trap



Photo 29 Warehouse



Photo 30 Due for testing in April 2022



Photo 31 Fire hydrant

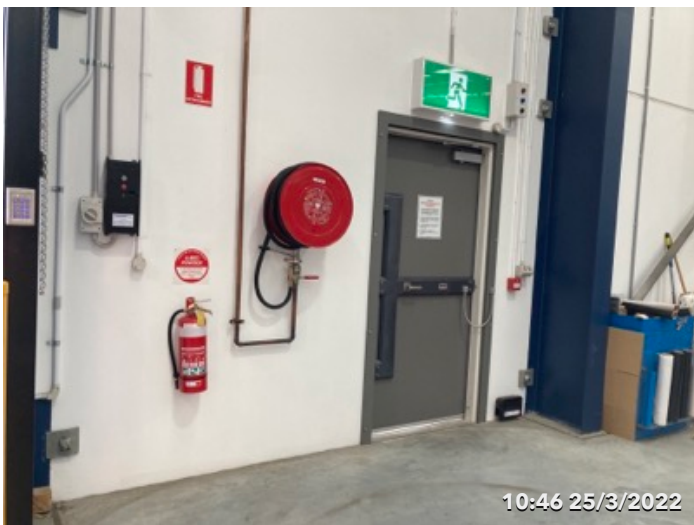


Photo 32 Fire safety gears and vermin trap were set up every warehouse door



Photo 33 Paper and cardboard bins



Photo 34 Carboard bins
Waste bins are used accordingly



Photo 35 Shrink wrap bin



Photo 36 Shrink wrap



Photo 37 General solid waste

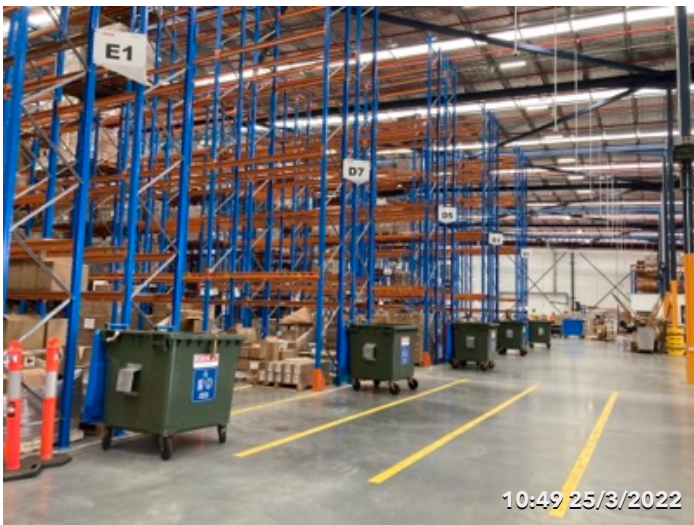


Photo 38 Paper and cardboard waste bins every stall



Photo 39 Property damage minor incident
Evidence of reported to Manager refer to email.

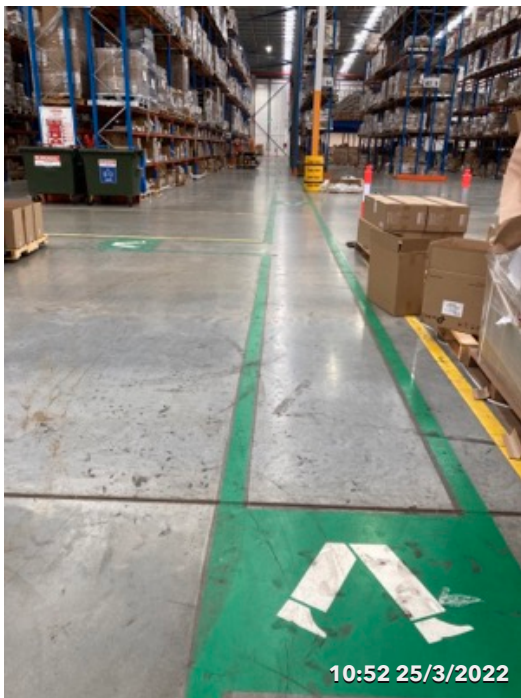


Photo 40 Pedestrian walkway in the
warehouse

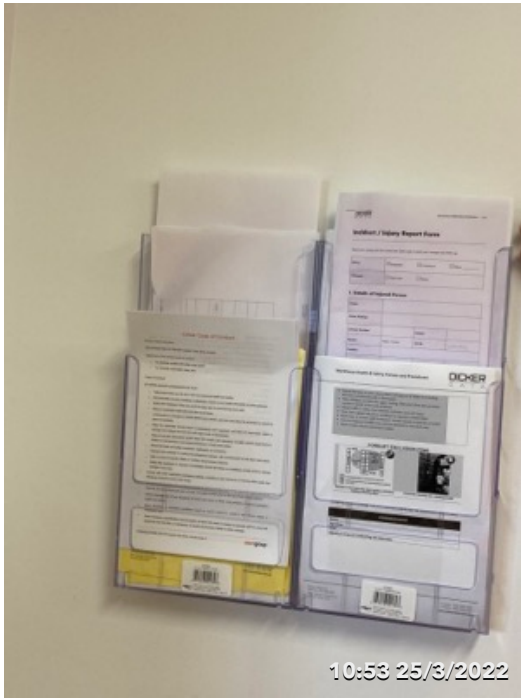


Photo 41 Incident Report Forms and Policies and Procedures area



Photo 42 Safety Notice board

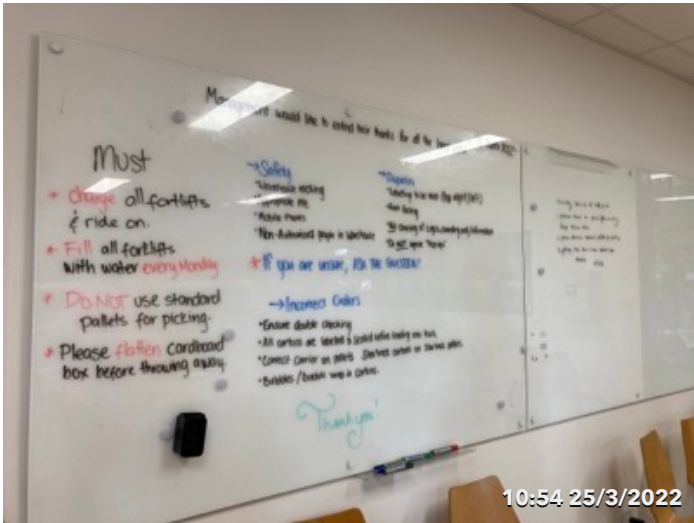


Photo 43 Toolbox talks board conducted on 18/03/2022



Photo 44 First aid kit at Warehouse floor kitchen



Photo 45 Warehouse control room



Photo 46 Forklift operator manual



Photo 47 Forklift with operator manual
Maintenance records sighted



Photo 48 Rest areas



Photo 49 Electrical main switchboard



Photo 50 Electric main switchboard



Photo 51 Solar panel batteries



Photo 52 Emergency backup power



Photo 53 Back up power



Photo 54 Solar Panel Distribution Board



Photo 55 Test and tagged Solar Panel Distribution Board

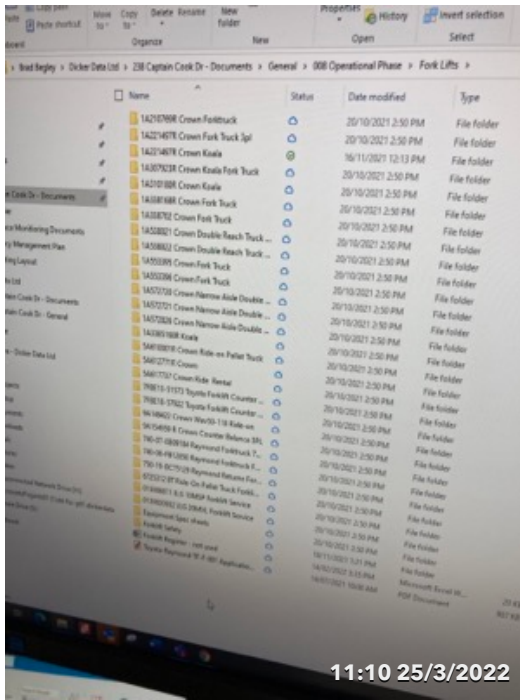


Photo 56 Forklifts maintenance records

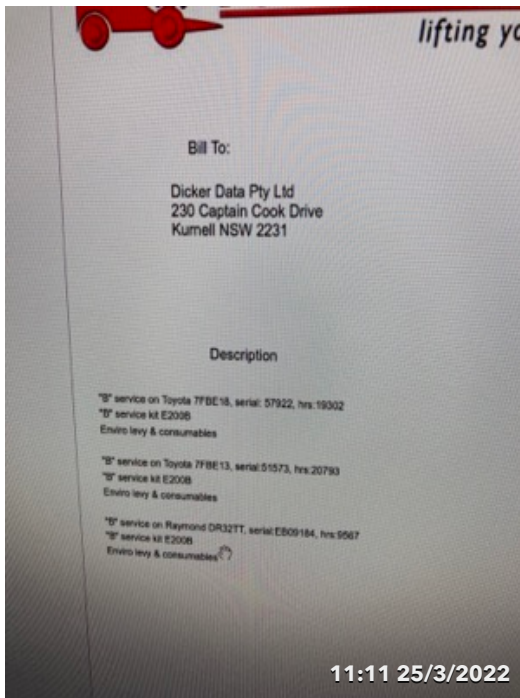


Photo 57 Records of service and maintenance for forklifts

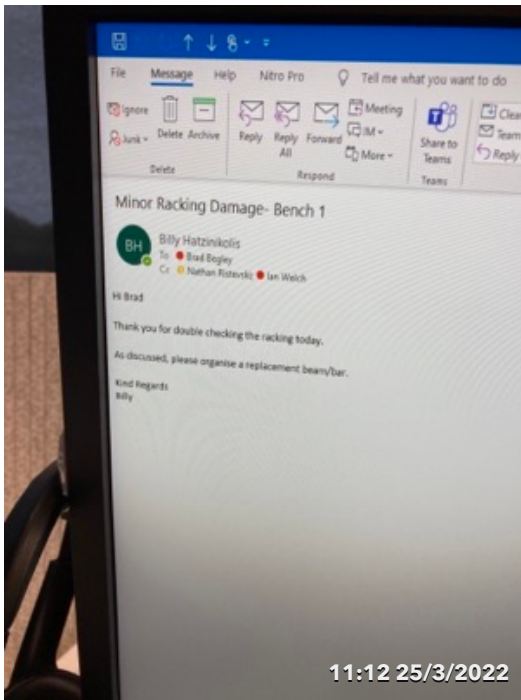


Photo 58 Notification of incident dated 23/03/2022

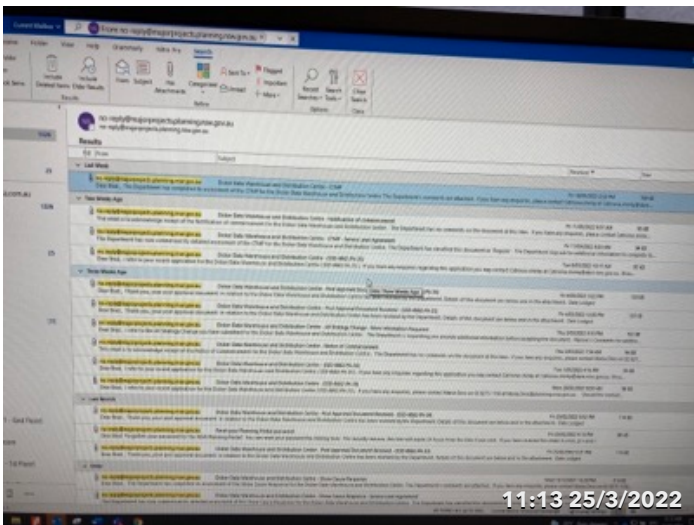


Photo 59 Email records for the Stage 2 Warehouse Pre-construction requirements



Photo 60 Vermin control receipts

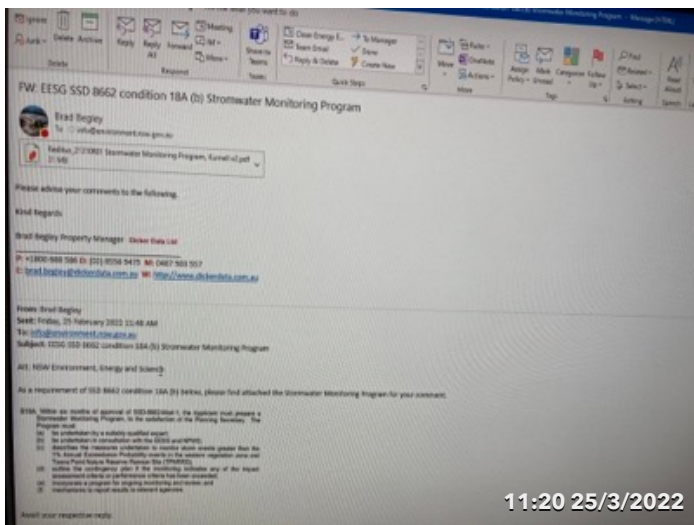


Photo 61 Evidence of Consultation Stormwater Monitoring Program dated 23/03/2022

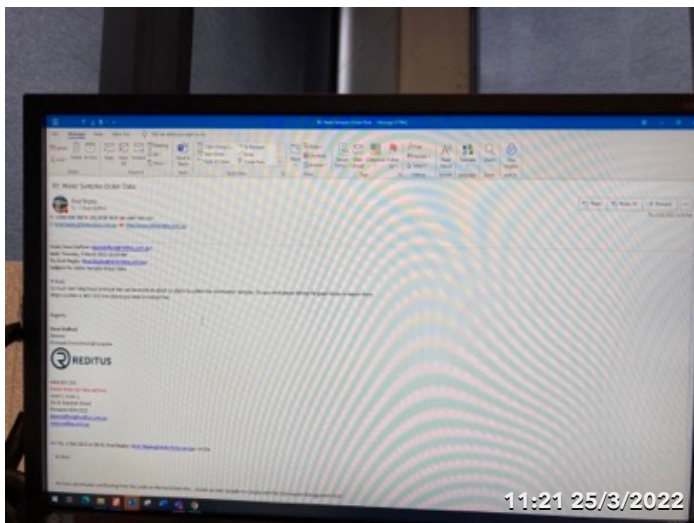


Photo 62 Email from Reditus dated 3/3/2022 Evidence of stormwater sampling



Photo 63 Recycling bins at kitchen
Segregation is well implemented



Photo 64 Waste truck collection area

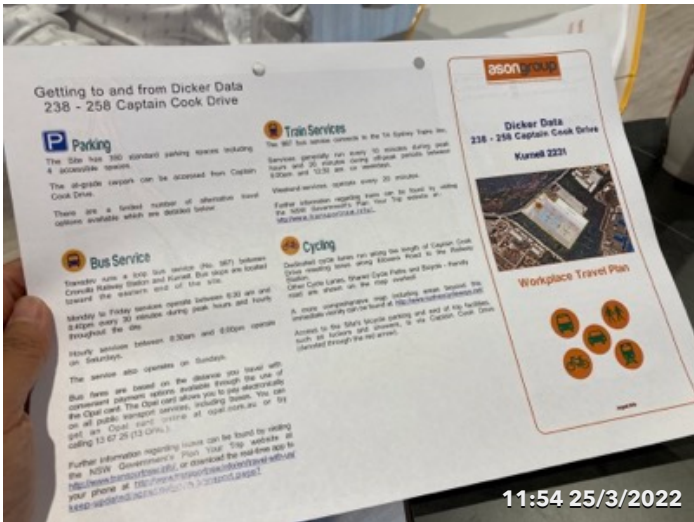


Photo 65 Work Travel Plan

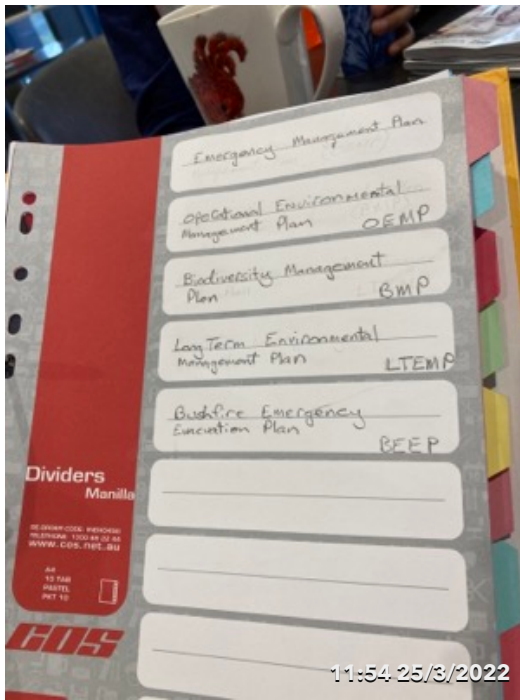


Photo 66 Hard copy of OEMP is available at worksite for all employees.

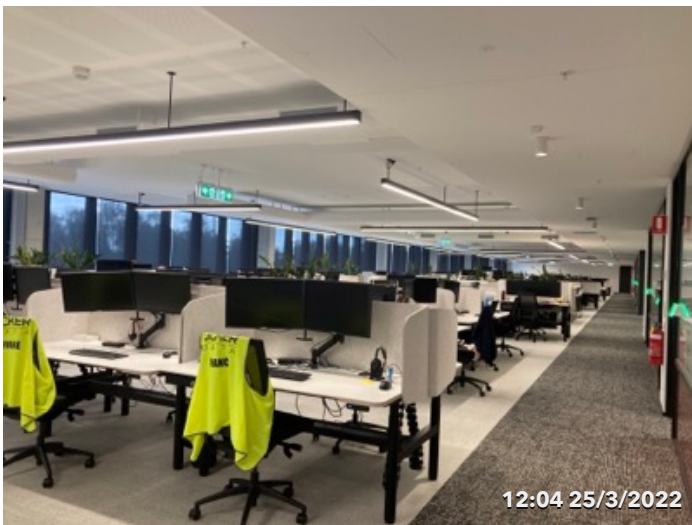


Photo 67 Office workspaces



Photo 68 Canteen is non-operational due to Covid
Only the fridge for drinks was operational



Photo 69 Distributor of the year Award for 2021



Photo 70 Opening of Dicker Data Headquarters and Distribution Centre was officially opened by the Prime Minister Scott Morrison 23 April 2021



Photo 71 Commemoration Photo with Prime Minister Scott Morrison Official opening of the Headquarters and Distribution Centre on 23 April 2021.

However, it should be noted that operations commenced in October 2021 when Interim Occupational Certificate has been granted.



Photo 72 Commemoration Photo with Prime Minister Scott Morrison
Photo with all Dicker Data Employees



Photo 73 Weather forecast during this audit

Annabelle Tungol
AQUAS