

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 (Mod 1) Conditions of Consent

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Auditors:	Barbara Pater, Lead Auditor, AQUAS
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3	23 June 2023	Reissue of final report in response to DPE comments	Brad Begley, Property Manager

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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 Stage 2 of the project.

Construction of the Stage 2 development is in progress with construction of Stage 1 complete and the warehouse continues to be in full operation. Overall, the project is generally compliant with the conditions of Development Consent SSD 8662-Mod-1.

This audit covers the review of the construction requirements for Stage 2 of SSD 8662 Mod-1 with the site inspection conducted on 19 January 2023 and an online review of documents and records on 20 January 2023.

The following key strengths were noted during this audit:

- Mitigation measures as per the Construction Environmental Management Plan were implemented as demonstrated during the site inspection that was conducted by the auditors on 19 January 2023 and included:
 - Traffic management with internal road signage clearly visible, no queuing of heavy vehicle on public road, staff and construction worker parking was generously available, with a clear access/egress traffic flow and separation of heavy vehicle laydown area adjacent to the warehouse building (currently operational)
 - Environmental controls were noted to be in place and in accordance with the erosion and sedimentation plan for Stage 2
 - Good housekeeping was observed throughout the site
 - Stage 2 area appeared to be managed well despite the heavy rainfall the night before with water contained within the site
- There were no complaints or environmental incidents reported to date.

Previous Audit Findings

The following non-compliances that were recorded during the previous (prior to operation and operational) audits have now been closed as follows:

- | | |
|-------|--|
| NC-01 | <p>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.</p> <p>Status > Closed. Evidence provided to appropriately address conditions B8A, B18A and B30A.</p> |
| NC-02 | <p>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.</p> <p>Status > Closed. Letter from the Department presented as evidence, dated 13 May 2022 approving the Road Safety Audit, dated 8 October 2021, Final Version.</p> |
| NC-03 | <p>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.</p> <p>Status > Closed. Email presented as dated 8 June 2022 from the EHS providing comments. Forwarded 15 August 2022 to Reditus with the SMP updated 29 August 2022 as emailed.</p> |

Letter from the Department sighted, dated 22 November 2022, approving the SMP prepared by Reditus (dated November 2022, Version 4).

- 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 > Closed. Letter from the Department received 25 October 2022 approving the BMP prepared by Biosis (dated 20 October 2022, Version 2).

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 of 145 Conditions of Consent that were reviewed during this audit.

Five non compliances were identified during the audit as follows:

- DD-06 **Terms of Consent:** Based on the non-compliances raised at Conditions B25, B39, C15 and
NC-01 C16 as per Modification 1 of Condition of Consent dated 20 December 2020, this will also be non-compliant.
- Recommendation:** Addressing the non-compliances against B25, B39, C15 and C16 will automatically address this non-compliance.
- DD-06 **Groundwater Management Plan** Based on the evidence presented during the audit,
NC-02 implementation of the groundwater management plan (GMP) could not be verified
- Recommendation:** Dicker Data to ensure the requirements of the GMP (as a subplan of the CEMP) are implemented within the required timeframes.
- DD-06 **Long Term Environmental Management Plan** Based on the evidence presented during the
NC-03 audit, submission to the Planning Secretary that the LTEMP is listed on the s10.7 was unable to be verified.
- Recommendation:** Dicker Data is to ensure that the LTEMP as listed under the Section 10.7 planning certificate is submitted to the Department for information to remain compliant with condition B39.
- DD-06 **Compliance:** The Operational Compliance Report for the development has not been
NC-04 actioned within the 52-week timeframe.
- Recommendation:** It is recommended that Dicker Data develop and submit an Operational Compliance Report for the development without delay. This report must be submitted to the Department.
- DD-06 **Compliance:** An Operational Compliance Report for the development has not been actioned
NC-05 within the 52-week timeframe and therefore does not appear on Dicker Data's website.
- Recommendation:** Following completion of the Operational Compliance Report, Dicker Data must publish this report on their website and notify the Department no later than 7 days prior to its upload.

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.

Construction of Stage 2 commenced in November 2022 which involves an extension to the existing warehouse being constructed by Pelony Constructions, as was notified to the Department on the 2 September 2022.

Dicker Data Ltd engaged AQUAS to undertake the independent environmental audit in compliance with the SSD 8662 Mod 1 Condition C18, within 12 weeks of commencement of construction for Stage 2.

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	Construction (Stage 2)
Project Activity Summary	<p>Construction of Stage 2 of the warehouse works including:</p> <ul style="list-style-type: none"> • Earthworks complete • Pre-cast steel structural frame installation • Roof panelling constructed • First panels of concrete walls to be constructed • Hardstand established • Reuse of DGB and soil on site

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
Barbara Pater	AQUAS	Lead Environmental Auditor	Exemplar Global Lead Environmental Auditor – Certificate No. C424613

Endorsement by DPE of the Lead Auditor was granted on 2 December 2022 prior to the conduct of this audit, refer to **Appendix A**. Independent Audit declaration forms are attached as **Appendix B**.

Barbara Pater was assisted by Michelle Battam, Environmental Auditor (Certificate No. 13963063-9139401).

2.4 Audit Objectives

The objective of this audit was to undertake the independent environmental audit to assess compliance with the Development Consent Condition SSD 8662 Mod 1 C18, focused on the construction requirements of the Stage 2 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 compliance requirements of the Development Consent SDD 8662 Mod-1, Stage 2 Construction
- Review of implementation of the environmental controls associated with Stage 2 including waste management, traffic management, parking requirements, fencing and security
- Site inspection, conducted on 19 January 2023 for review of environmental site controls
- Review of the stormwater and flood controls as requested by the Department
- Review of environmental records on 20 January 2023
- 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 since commencement of Stage 2 construction to January 2023.

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 19 & 20 January 2023.

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 12:15pm on the 19 January 2023 with Dicker Data project personnel (Brad Begley) and AQUAS auditors (Barbara Pater and Michelle Battam).

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 (Construction Environmental Management Plan and sub-plans) to verify compliance with the Development Consent Conditions SSD 8662 Mod-1
- Conduct of a site walk on 19 January 2023 to review implementation of mitigation measures and environmental controls during construction of Stage 2
- 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 19 and 20 January 2023.

3.3.3 Closing Meeting

The closing meeting was held at 3:15 pm on 20 January 2023 with Dicker Data representative (Brad Begley) and AQUAS (Barbara Pater and Michelle Battam). General feedback and the findings of the audit were discussed during the closing meeting.

AQUAS auditors acknowledged the 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 19 January 2023, with AQUAS auditors, Dicker Data's Property Manager and contractor representative. There were no issues raised during this inspection. One observation was noted with regards to stormwater drainage. 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 23 December 2022 in advance of the audit to relevant stakeholders from Department of Planning and Environment 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"> ▪ stormwater management and flood impact; and ▪ built form. 	The audit determined that the stormwater management and flood impact were generally compliant. Scouring of the stormwater drainage was noted during the site inspection due to an extreme weather event. Refer to Section 5.5 for further detail.

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:

- Construction Certificate E200331 CC-01 Determination
- Dilapidation Report_1_A 238-258 Captain Cook Dr, Kurnell NSW 2231
- s7.12 Invoice SSC contribution
- Alpolic Maintenance document
- AS5113 Alpolic NC vs DtS ACM document
- cat_alpolic_alpolicfr document
- ExcelPLas Test report Basic Expert # 8520_1 Cladding V3 document
- Mitsubishi ALPOLIC NC AS1530.1 NATA Test report. Warrington
- Mitsubishi ALPOLIC NC AS1530.3 NATA Test report
- Technical Data specs_alpolicfr document
- Letter from service provider (TELSTRA) dated 7 May 2019, Ref: 1144548629
- Construction Traffic Management Plan Warehouse Development 238-258 Captain Cook Drive, Kurnell rev II dated 2/03/2022
- Consent condition Statement
- Stg 2 Sediment Control Plan & Details
- Lighting installation 9;20;25;26_ Certificate
- 19-0568 Notice to Proponent of Property Development Below the OLS
- 2022-08-15 Dicker Data 238-258 Captain Cook Dr-M+G Design certificate
- Tax invoice (20222707) from Sutherland Shire Council dated 4/8/22
- Occupation Certificate No. E20031/IOC-01 dated 30 July 2021 from Elite Certification.
- The Structural Design Certificate letter from M&G Consulting Engineers, ref 4984 dated 15 August 2022
- Certificate of Test of the products to be used for external walls, dated- 21 Jan 2020, Report No. FNE12526A
- Reaction-to-Fire Test of the products to be used for external walls, Report dated- 2 July 2019, Job No. RTF190153
- Analysis of ACP Cladding Sample dated- 12 Mar 2020, Report No. 8520/1
- AS 5113 FULL FACADE TEST COMPARISONS
- The Workplace Travel Plan (approved by the Department 18 November 2019)
- Installation Certificate from New Edge Group Australia Pty Ltd dated 30 Nov 2020
- Bushfire Emergency Evacuation Plan [BEEP]
- WMK DESIGN STATEMENT 2020.02.20 V2 for Flood Monitoring
- Approval Letter from DPE, dated 5 November 2020, for Long Term Environmental Management Plan (LTEMP) 12 October 2020, Version 3
- Approval Letter from DPE, dated 3 February 2021, for Operational Environmental Management Plan (OEMP) dated 5 January 2021
- Approval Letter from DPE, dated 3 October 2019, for Construction Environmental Management Plan (CEMP) dated 23 September 2019
- Letter from DPE dated 13 May 2022 provided the Road Safety Audit (SSD-8662) dated 8 October 2021
- Approval letter from DPE dated 15 March 2022 for Stage 2 Sediment Control Plan
- Approval Letter from the Department dated 22 November 2022, for Stormwater Monitoring Plan (dated November 2022, Version 4).
- Approval letter from DPE, dated 3 October 2019, for Flood Emergency Response Plan (Ref J1902_R2)
- Approval Letter from DPE, dated 3 October 2019, for Groundwater Management Plan Version 1 Report No: 19066RP01

- Approval letter from DPE, dated 25 October 2022, for Biodiversity Management Plan dated 20 October 2022 Version 2
- Department letter, dated 7 June 2022, confirming non-compliance notification and audit report (28 April 2022).
- Advisory Letter from DPE, dated 10 June 2020, for Compliance Reporting
- Advisory letter from DPE, dated 10 June 2020, for Independent Audit Program
- Pestlogic Invoice No. 0544 18/09/2022
- Pestlogic Invoice No. 0574 20/11/2022
- Pestlogic Invoice No. 0623 17/01/2023

5. Audit Findings

This audit was completed to assess the implementation of Construction 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	122
Non-Compliant	5
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 – 63
		Non-Compliant – 2
		Not Triggered – 3
Part C – ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	21	Compliant – 14
		Non-Compliant – 2
		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 Construction Environmental Management Plan for Stage 2. The operational management plans as per conditions B8A, B18A and B30A, which were raised as non-compliances during the prior to operations and operational audits were approved by the Department and are now closed prior to this audit occurring.

5.4 Review of Previous Audit Findings

There were four non-compliances raised during the previous audit conducted in March 2022 to assess the operational requirements of the Stage 2 Warehouse Development. These non-compliances have been appropriately addressed and are now closed as demonstrated in the table overpage.

Previous Audit Findings (September 2021 and March 2022)

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Findings	Recommendations	Status
	PART	A	ADMINISTRATIVE CONDITIONS			
NC	A		Terms Of Consent			
01.	A	A2	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) generally in accordance with the EIS and Response to Submissions (RTS); (d) in accordance with the Modification Assessments (e) in accordance with the Development Layout Plans in Appendix 1; and (f) in accordance with the management and mitigation measures in Appendix 3.	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.	Addressing the non-compliances against B8A, B18A and B30A will automatically address this non-compliance.	Evidence provided to appropriately address conditions B8A, B18A and B30A. CLOSED
	PART	B	SPECIFIC ENVIRONMENTAL CONDITIONS			
NC	B		Road Safety Audit			
02.	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 road safety issues and opportunities for improvements to the site access and road upgrades described in SSD-8662-Mod-1	NC-02: Although the Road Safety Audit has been updated and submitted to DPE, it is still awaiting approval from the DPE.	The Road Safety Audit must be approved by DPE to ensure compliance with SSD-8662-Mod-1.	Letter from the Department presented as evidence, dated 13 May 2022 approving the Road Safety Audit, dated 8 October 2021, Final Version. CLOSED
NC	B		Stormwater Management System			
03.	B	B18A	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:	NC-03: The Stormwater Monitoring Program has been developed and is	The Stormwater Monitoring Program must be submitted to	Email presented as dated 8 June 2022 from the EHS providing comments. Forwarded 15 August

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Findings	Recommendations	Status
			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	awaiting response from the EES and NPWS.	and approved by DPE to ensure compliance with SSD-8662-Mod-1 B18A.	2022 to Reditus with the SMP updated 29 August 2022 as emailed. Letter from the Department sighted, dated 22 November 2022, approving the SMP prepared by Reditus (dated November 2022, Version 4). CLOSED
NC	B		Biodiversity Management Plan			
04.	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 h) detail the procedures to contact EESG if any additional vegetation clearing is required for the maintenance of structures in the vegetation zones.	NC-04: The Biodiversity Management Plan has been updated by Biosis and has not yet been submitted to EESG and DPE.	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.	The Biodiversity Management Plan was submitted to the Department as per portal receipt PA-36. Letter from the Department received 25 October 2022 approving the BMP prepared by Biosis (dated 20 October 2022, Version 2). CLOSED

5.5 Audit Site Inspection

A site walk around the Stage 2 construction site was conducted on 19 January 2023 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 CEMP for Stage 2 such as:

- Site boundary clearly marked with separation of vehicles and pedestrians
- Internal road signage visible
- Site signage in place at Stage 2 entry including contractor details
- Waste bins noted to be within capacity
- Materials stored appropriately on site
- Ample parking provided to all personnel and visitors including Stage 2 construction workers and Operational warehouse staff
- Soil was sighted as stockpiled and was confirmed to be reused on site
- No evidence of dust noted
- Access/egress and internal roads kept clean and clear with no mud tracking during the inspection
- Sediment and erosion controls for Stage 2 appeared to be implemented

During the inspection it was observed that a small section of the stormwater system had scoured following a heavy rain event. Dicker Data are aware of the issue and are working on engaging a contractor to appropriately restore the area. It is noted that the stormwater system still appeared to be in good working order, and it was confirmed by the Dicker Data representative to be functioning as designed.

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

5.6 Suitability of Plans and the EMS

The Construction Traffic Management Plan & Erosion and Sediment Management Plan was updated for Stage 2 requirements and approved by the Department on the 15 March 2022. The remaining Construction Environmental Management Plan developed and submitted to DPE prior to the Stage 1 Warehouse operation did not require an update for Stage 2.

The Long-Term Environmental Management Plan was developed and submitted to DPE prior to the warehouse operation and continues to be implemented for Stage 1.

Based on the outcome of the audit and the additional request received from the Department as per letter dated 16 May 2023 (in response to V2 of this audit report), a review of the plans and EMS is recommended to be actioned prior to the final Stage 2 audit.

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, Stage 2 of 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 the Construction Environmental Management Plan were implemented as demonstrated during the site inspection that was conducted by the auditors on 19 January 2023:
 - Traffic management with internal road signage clearly visible, no queuing of heavy vehicles on public road, staff and construction worker parking was generously available, with a clear access/egress traffic flow and separation of heavy vehicle laydown area adjacent to the warehouse building (currently operational)

- Environmental controls were noted to be in place and in accordance with the erosion and sedimentation plan for Stage 2
 - Good housekeeping was observed throughout the site
 - Stage 2 area appeared to be managed well despite the heavy rainfall the night before with water contained within the site
- There were no complaints or environmental incidents reported to date.

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.

There were five non-compliances raised during the audit and are identified in the following table. Refer to the attached **Appendix C. Audit Checklist** and **Audit Findings** for full details and evidence of compliance including notes.

Audit Findings (January 2023)

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Findings	Recommendations	Dicker Data Response
DD	PART	A	ADMINISTRATIVE CONDITIONS			
NC	A		Terms Of Consent			
01.	A	A2	<p>The development may only be carried out:</p> <ul style="list-style-type: none"> (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) generally in accordance with the EIS and Response to Submissions (RTS); (d) in accordance with the Modification Assessments (e) in accordance with the Development Layout Plans in Appendix 1; and (f) in accordance with the management and mitigation measures in Appendix 3. 	NC-01: Based on the non-compliances raised at Conditions B25, B39, C15 and C16 as per Modification 1 of Condition of Consent dated 20 December 2020, this will also be non-compliant.	Addressing the non-compliances against B25, B39, C15 and C16 will automatically address this non-compliance.	Dicker Data acknowledges this non-compliance.
	PART	B	SPECIFIC ENVIRONMENTAL CONDITIONS			
NC	B		Groundwater Management Plan			
02.	B	B25	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence construction until the GMP required by condition B24 is approved by the Planning Secretary; and (b) implement the most recent version of the GMP approved by the Planning Secretary for the duration of the development. 	NC-02: Implementation of the GMP could not be verified.	Dicker Data to ensure the GMP is implemented	Dicker Data acknowledges this non-compliance.
NC	B		Long Term Environmental Management Plan			
03.	B	B39	Upon completion of the Site Audit Statement and Site Audit Report, the Applicant must be undertaken by a suitably qualified expert;	NC-03: Submission of the planning certificate under Section 10.7 listing the LTEMP	Dicker Data is to ensure that the LTEMP as listed under the Section 10.7	Submission of the certificate was provided to the Department on the 3 February

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Findings	Recommendations	Dicker Data Response
			a) implement the approved LTEMP; and 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 Environmental Planning and Assessment Act 1979, for the development.	to the Department could not be verified.	planning certificate is submitted to the Department for information to remain compliant with condition B39.	2023 as per portal receipt SSD-8662-PA-45. This finding has now been addressed.
	PART	C	REPORTING AND AUDITING			
NC	C		Compliance Reporting			
04.	C	C15	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018)*. <i>*It is noted that Dicker Data has received a letter from the Department dated 10 June 2020, to adopt the 2020 PAR guidelines.</i>	NC-04: The Operational Compliance Report for the development has not been actioned within the 52-week timeframe.	It is recommended that Dicker Data develop and submit an Operational Compliance Report for the development without delay. This report must be submitted to the Department.	Dicker Data acknowledges this non-compliance.
05.	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.	NC-05: As per condition C15, an Operational Compliance Report for the development has not been actioned within the 52-week timeframe and therefore does not appear on Dicker Data's website.	Following completion of the Operational Compliance Report, Dicker Data must publish this report on their website and notify the Department no later than 7 days prior to its upload.	Dicker Data acknowledges this non-compliance.

Appendix A. Auditors Approval



Department of Planning and Environment

Brad Begley
Dicker Data Ltd
238-258 CAPTAIN COOK DRIVE
KURNELL NSW 2231

02/12/2022

Dear Mr Begley

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

I refer to your request (SSD-8662-PA-43) for the Planning Secretary to endorse the appointment of a suitably qualified and experienced team of experts to conduct an Independent Environmental Audit (IEA)

for the Dicker Data Warehouse and Distribution Centre development (the **development**) SSD-8662, as modified (the **consent**).

The Department of Planning and Environment (the **department**) has reviewed the nomination and information you have provided and is satisfied that the nominated expert is suitably qualified and experienced.

Consequently, as nominee of the Secretary I endorse the appointment of the following audit team from Aquas Pty Ltd:

- Ms Barbra Pater as lead auditor.

to undertake the Independent Audit for the development, in accordance with Condition C18 of the consent and the department's *Independent Audit Post Approval Requirements (2018)* (IAPARs).

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 audit team 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.

Department of Planning and Environment



Should you wish to discuss the matter further, please contact Maria Divis on 02 8275 1156 or compliance@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Julia 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:	Dicker Data Warehouse and Distribution Centre – Stage 2
Consent Number:	SSD-8662 (Mod 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:	10 February 2023

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- the audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Post Approval Requirements (Department 2020);
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the Independent Audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

- Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of the Auditor:	Barbara Pater
Signature:	
Qualification:	Lead Environmental Auditor
Company:	AQUAS Pty Ltd
Company Address:	Level 7, 116 Miller Street, North Sydney NSW 2060

Independent Audit Post Approval Requirements | May 2020



Independent Audit Declaration Form


Project Name:	Dicker Data Warehouse and Distribution Centre – Stage 2
Consent Number:	SSD-8662 (Mod 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:	10 February 2023

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Post Approval Requirements (Department 2020);
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the Independent Audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of 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 the Auditor:	Michelle Battam
Signature:	
Qualification:	Environmental Auditor Assist
Company:	AQUAS Pty Ltd
Company Address:	Level 7, 116 Miller Street, North Sydney NSW 2060

Appendix C. Audit Checklist and Audit Findings

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1	PART	A	ADMINISTRATIVE CONDITIONS			
	A		Obligation to Minimise Harm to the Environment			
1.1	A	A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	The environmental mitigation measures were generally implemented. Stage 2 of the development is being construction in accordance with SSD-8662 Mod 1 requirements and as per Construction Certificate E200331.		Compliant
	A		Terms Of Consent			
1.2	A	A2	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) generally in accordance with the EIS and Response to Submissions (RTS); (d) in accordance with the Modification Assessments (e) in accordance with the Development Layout Plans in Appendix 1; and (f) in accordance with the management and mitigation measures in Appendix 3.	<ul style="list-style-type: none"> a. Compliance with the conditions of consent were not fully demonstrated – refer to non-compliance b. An advisory Letter dated 10 June 2020 was issued by DPE noting the adoption of the PAR 2020 guidelines. c. The development is compliant in accordance with the EIS and RTS as evidenced in the compliances noted on the following conditions. d. Stage 2 of the development is being constructed under Mod 1 of the consent e. Construction of the development is in accordance with Appendix 1 for Stage 2 	NC-01: Based on the non-compliances raised at Conditions B39, C15 and C16 as per Modification 1 of Condition of Consent dated 20 December 2020, this will also be non-compliant.	Non-Compliant

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				f. Commencement of construction of Stage 2 was verified to be in accordance with the management and mitigation measures.		
1.3	A	A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: <ul style="list-style-type: none"> (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a). 	The Advisory Letter dated 10 June 2020 issued by DPE as per email 11 June 2020, notes the adoption of the PAR 2020 guidelines. No other written requirements received.		Compliant
1.4	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		Limits of Consent Lapsing			
1.5	A	A5	This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.	The development is still operating under Mod-1 of the SSD.		Compliant
	A		NOTIFICATION OF COMMENCEMENT			
1.6	A	A6	The date of commencement of each of the following phases of the development must be notified to the	Revised Notice of Commence provided to the Department 2 September 2022 for a mid to		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			Department in writing, at least one month before that date: (a) construction; (b) operation; and (c) cessation of operations.	late October 2022 commencement. Actual commencement of construction for Stage 2 occurred November 2022.		
1.7	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.	Revised Notice of Commence provided to the Department 2 September 2022 for a mid to late October 2022 commencement of Stage 2.		Compliant
	A		Evidence of Consultation			
1.8	A	A8	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document for information or approval; and (b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Consultation with TfNSW for Road Safety audit and NSW EES and NPWS for Stormwater Management Program during April 2022 audit. Email presented as dated 8 June 2022 from the EHS providing comments. Forwarded 15 August 2022 to Reditus with the SMP updated 29 August 2022 as emailed.		Compliant
	A		Staging, Combining and Updating Strategies, Plans and Programs			
1.9	A	A9	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the	Notification of commencement of Stage 2 submitted on 25/2/22 and portal receipt PA-33 during last audit. Stage 2 is under Mod 1 of the SSD. Department approval letter dated 15 March 2022 presented referring to the Construction		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).	Traffic Management Plan and Erosion and Sediment Management Plan submitted in accordance with condition A9(a) for Stage 2.		
1.10	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 to be consulted in the relevant condition in this consent.	Notification of commencement of Stage 2 submitted on 25/2/22 and portal receipt PA-33 during last audit. Stage 2 is under Mod 1 of the SSD.		Compliant
1.11	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.	Construction Traffic Management Plan CTMP updated and approved as per Department letter 15 March 2022.		Compliant
	A		PROTECTION OF PUBLIC INFRASTRUCTURE			
1.12	A	A12	Before the commencement of construction, the Applicant must: (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity	a. No owners or service providers affected. b. Dilapidation report 238-258 Captain Cook Rd, Kurnell NSW 2231 dated 17 November 2022 (by SDS Engineering) was provided. The report included inspection of all public assets on Captain Cook Drive within a distance of 400m of the Site including pavements, gutters, footpaths,		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			of the site (including roads, gutters and footpaths); and (c) submit a copy of the dilapidation report to the Planning Secretary and Council.	civil assets, street furniture, signage and landscaped area. c. Submitted to the Department 25 November 2022 as per portal receipt SSD-8662-PA-42. Email to Sutherland Shire Council 25 November 2022 from Dicker Data as presented.		
1.13	A	A13	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.	No damage to date.		Not Triggered
	A		DEMOLITION			
1.14	A	A14	All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).	Demolition complete and carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001) as evidenced in previous audit. No demolition required for Stage 2.		Compliant
	A		STRUCTURAL ADEQUACY			
1.15	A	A15	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>	Construction of Stage 1 under Mod-1 complete and evidence provided in previous audit remains compliant. Structural adequacy verified as per Structural Design Certificate presented – undertaken by M&G Consulting Engineers Pty Ltd, 15 August 2022 (ref 4984); confirms list of drawings		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<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. 	were designed in accordance with relevant requirements of BCA 2019 Amendment 1, Volume 1, Part B1, including the fire rating requirements for the relevant structural elements in accordance with the Specification C1.1, and the relevant DA conditions, and the relevant current Australian Standards. Construction Certificate E200331/CC-01 issued 29 November 2022.		
	A		COMPLIANCE			
1.16	A	A16	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.	Stage 1 construction complete. Stage 2 operating under Mod 1 (no change from previous audit).		Compliant
	A		CONTRIBUTIONS TO COUNCIL			
1.17	A	A17	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.	Stage 1 Construction under Mod-1 complete and evidence provided in previous audit remains compliant. Tax invoice (20222707) from Sutherland Shire Council dated 4/8/22 for section s7.12 plan sighted for Stage 2. Construction Certificate E200331/CC-01 issued 29 November 2022.		Compliant
	A		SUBDIVISION			
1.18	A	A18	Prior to the issue of an Occupation Certificate, the Applicant must amalgamate the site in accordance	The Interim Occupation Certificate is still in place. As per previous audit, the site was		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			with the subdivision plan titled 'Proposed Subdivision Lot 1 DP 225973 & Lot 2 DP 1088703' prepared by Masters Surveying, dated 12 December 2018.	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.		
	A		OPERATION OF PLANT AND EQUIPMENT			
1.19	A	A19	All plant and equipment used on site, or to monitor the performance of the development must be: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Cranes and elevated works platforms are predominantly used onsite for Stage 2 and include safety and maintenance records (kept at machines) e.g. EWP Logbook ref 92 dated 14 December 2022.		Compliant
	A		EXTERNAL WALLS AND CLADDING			
1.20	A	A20	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	The Structural Design Certificate letter from M&G Consulting Engineers, ref 4984 dated 15 August 2022 shows that the external walls and existing buildings comply with relevant requirements of the BCA.		Compliant
1.21	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 following test documents demonstrate that the products and system proposed for use in construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA; 1. Certificate of Test dated- 21 Jan 2020, Report No. FNE12526A 2. Reaction-to-Fire Test Report dated- 2 July 2019, Job No. RTF190153		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				3. Analysis of ACP Cladding Sample dated- 12 Mar 2020, Report No. 8520/1 4. AS 5113 FULL FACADE TEST COMPARISONS		
1.22	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 letter from Planning Secretary shows that the copy of document (A22 Wall Cladding Test Certificates) was received by Department on 26 May 2020 (unchanged from previous). Construction Certificate issued for Stage 2 E200331/CC-01 on 29 November 2022.		Compliant
	A		UTILITIES AND SERVICES			
1.23	A	A23	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Letter from service provider (TELSTRA) dated 7 May 2019, Ref: 1144548629 shows the relevant approvals (unchanged from previous). Construction Certificate issued for Stage 2 E200331/CC-01 on 29 November 2022.		Compliant
1.24	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> .	Unchanged from previous. Construction Certificate issued for Stage 2 E200331/CC-01 on 29 November 2022.		Compliant
1.25	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	(a)(b) Letter from carrier (TELSTRA) dated 7 May 2019, Ref: 1144548629 shows confirmation of fibre ready facility		Compliant

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>Certifying Authority, that arrangements have been made for:</p> <ul style="list-style-type: none"> (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 (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. 	<p>requirements and agreement between TELSTRA and DICKER DATA LTD.</p> <p>Unchanged from previous. Construction Certificate issued for Stage 2 E200331/CC-01 on 29 November 2022.</p>		
1.26	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.	<p>Carrier (TELSTRA) has confirmed in writing that fibre ready facilities are fit for purpose in letter dated 7 May 2019, Ref:1144548629.</p> <p>This is unchanged from previous. Construction Certificate issued for Stage 2 E200331/CC-01 on 29 November 2022.</p>		Compliant
1.27	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.	Not applicable to Stage 2 works.		Not Triggered
	A		WORK AS EXECUTED PLANS			
1.28	A	A28	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.	No changes to the stormwater drainage for Stage 2. Evidence as per previous audit.		Compliant

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	A		APPLICABILITY OF GUIDELINES			
1.29	A	A29	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
1.30	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.	<p>DPE Advisory Letter dated 10 June 2020 was provided with the instruction to adopt PAR 2020.</p> <p>Dicker Data responded to this request with a letter dated 2 September 2021. The previous audits conducted and reported implemented the new guidelines.</p> <p>No other inconsistencies to date.</p>		Compliant
	AN1		Advisory Notes			
1.31	AN1		All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	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

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
2	PART	B	SPECIFIC ENVIRONMENTAL CONDITIONS			
	B		TRAFFIC AND ACCESS			
	B		Construction Traffic Management Plan			
2.1	B	B1	<p>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:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with Council and TFNSW; (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction; (d) detail measures that are to be implemented to protect the vegetation of the Towra Point Nature Reserve during roadworks; (e) detail heavy vehicle routes, access and parking arrangements; (f) include a Driver Code of Conduct to: <ul style="list-style-type: none"> (i) minimise the impacts of earthworks and construction on the local and regional road network; (ii) minimise conflicts with other road users; (iii) minimise road traffic noise; (iv) ensure truck drivers use specified routes; (g) include a program to monitor the effectiveness of these measures; and (h) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes. 	<p><i>“Construction Traffic Management Plan Warehouse Development 238-258 Captain Cook Drive, Kurnell” rev II dated 2/03/2022 and prepared by Ason Group was provided.</i></p> <ul style="list-style-type: none"> a. the CTMP was prepared by suitably qualified people including Dora Choi (Principal Lead – Traffic Management & Operations) Ticket No. TCT0021456; James Laidler (Traffic Engineer) Ticket No. 0052158569; Alan Tan (Traffic Engineer) b. Sections 1.2 and 1.6 provides details of consultation and future consultation (if required). c. Section 3 of the CTMP provide the detailed measures that are to be implemented to ensure road safety and network efficiency during construction. d. N/A, Section 2.9 of CTMP states that “No roadworks along Captain Cook Dr is proposed, all Civil and Construction Works will take place within the work site” e. Section 2.3 of CTMP provide the Truck routes, access and parking arrangements; Section 2.7 of CTMP provide the details on Site Access; 		Compliant

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				Section 3.6 of CTMP provide the details of Contractor parking. f. Appendix A. of CTMP explains Driver Code of Conduct. g. Section 4 of CTMP provides the Monitoring program to monitor the effectiveness of measures taken. h. Section 1.6 outlined the procedure for notifying resident and the community of any potential disruptions to routes.		
2.2	B	B2	The Applicant must: (a) not commence construction until the CTMP required by condition B1 is approved by the Planning Secretary; and (b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of the construction.	a. The letter from the Department dated 15 March 2022 shows the approval of CTMP as presented. b. During the site inspection there was evidence that the CTMP is being implemented with access maintained. No roadworks or disruptions to routes have occurred under Stage 2. No complaints received.		Compliant
	B		Roadworks and Access			
2.3	B	B3	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 September 2021 audit. Stage 1 of the development is now operational. Not applicable to Stage 2.		Compliant
2.4	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 September 2021 audit (September 2021) via email confirmation from TfNSW dated 1 December 2020, internal approval of speed limit change and sign installation.		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
2.5	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.	As verified during previous audits under Stage 1. Not applicable to Stage 2 works.		Compliant
2.6	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.	As verified during previous audits under Stage 1. Not applicable to Stage 2 works.		Compliant
	B		Road Safety Audit			
2.7	B	B7	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	As verified during previous audits under Stage 1. Not applicable to Stage 2 works.		Compliant
2.8	B	B8	The Applicant must address any recommendations for road safety improvements identified in the Road Safety Audit described in condition B7.	As verified during previous audits under Stage 1. Not applicable to Stage 2 works.		Compliant
2.9	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 road safety issues and opportunities for improvements to the site access and road upgrades described in SSD-8662-Mod-1	A Non-Compliance for B8A was raised during the previous March 2022 audit. The Road Safety Audit (SSD-8662) dated 8 October 2021, Final Version, was provided by DPE in letter dated 13 May 2022. Copy of letter sighted. The condition and the Non-Compliance has been addressed and finding closed.		Compliant
	B		Bus Stops			

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
2.10	B	B9	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.	As verified during previous audits under Stage 1. Not applicable to Stage 2 works.		Compliant
	B		Parking			
2.11	B	B10	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.	Sufficient parking noted onsite during site inspection as per photos.		Compliant
	B		Operating Conditions			
2.12	B	B11	<p>The Applicant must ensure:</p> <ul style="list-style-type: none"> a. internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004) and AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002); 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; c. the development does not result in any vehicles queuing on the public road network; d. heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site; e. all vehicles are wholly contained on site before being required to stop; 	<ul style="list-style-type: none"> a. Internal roads, driveways and parking maintained as per previous audits b. unchanged from previous audits c. no queuing on public road networks noted during site inspection d. no heavy vehicles onsite during inspection. Waste bins are within the site. e. all vehicles and equipment noted during the inspection were parked. f. no loading or unloading of materials were carried out during inspection. g. no trucks noted during inspection h. car park kept clear and tidy as noted during the inspection. 		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			f. all loading and unloading of materials is carried out on-site; g. all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and h. the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.			
	B		Work Place Travel Plan			
2.13	B	B12	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: <ul style="list-style-type: none"> (a) be prepared in consultation with TfNSW; (b) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and (c) describe pedestrian and bicycle linkages and end of trip facilities available on-site. 	The Workplace Travel Plan (approved by the Department 18 November 2019) continues to be implemented as evidenced during previous audits.		Compliant
2.14	B	B13	The Applicant must not commence operation until the Work Place Travel Plan is approved by the Planning Secretary.	The Workplace Travel Plan was approved by the Department 18 November 2019 prior to commencement of operation.		Compliant
2.15	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.	The Workplace Travel Plan dated 18 November 2019 remains current.		Compliant
	B		SOILS, WATER QUALITY AND HYDROLOGY			
	B		Imported Soil			
2.16	B	B15	The Applicant must: <ul style="list-style-type: none"> (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site; 	Dicker Data provided a statement dated 18 January 2023 that no import or removal of		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Department upon request.	spoil has occurred for Stage 2 relating to condition B15. The Department has not requested any records or information in relation to B15.		
	B		Erosion and Sediment Control			
2.17	B	B16	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.	Stage 2 Sediment Control Plan prepared by M&G Consulting Engineers Pty Ltd dated 28 January 2022 was approved by the Department as per letter presented: dated 15 March 2022.		Compliant
	B		Discharge Limits			
2.18	B	B17	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		Stormwater Management System			
2.19	B	B18	Prior to the commencement of operation, the Applicant must design, install and operate a stormwater management system for the development. The system must: <ul style="list-style-type: none"> (a) be designed by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary; (b) be prepared in consultation with Council and be generally in accordance with the conceptual design in the RTS; (c) remove the western stormwater discharge point to Captain Cook Drive; (d) be in accordance with applicable Australian Standards; (e) ensure that water discharged from the site complies with Council's water quality standards; 	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

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(f) ensure that the stormwater management system is designed and maintained to protect the safety of the public; (g) verify the performance of water quality treatment measures using MUSIC modelling software; (h) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines; (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 (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.			
2.20	B	B18A	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: <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 	A Non-Compliance was raised during the previous audit as the Stormwater Monitoring Program had been developed and was awaiting a response from the EES and NPWS. The Stormwater Monitoring Program had therefore not been submitted or approved by the Department. Email presented as dated 8 June 2022 from the EHS providing comments. Forwarded 15 August 2022 to Reditus with the SMP updated 29 August 2022 as emailed. Letter from the Department sighted, dated 22 November 2022, approving the SMP prepared by Reditus (dated November 2022, Version 4).		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(f) mechanisms to report results to relevant agencies	<p>The Department approved the Stormwater Management Program on 22 November 2022 and the approval letter was provided closing out the previous finding.</p> <p>No monitoring occurred during the 12 week commencement of construction period for Stage 2.</p> <p>The <i>Stormwater Monitoring Program, Stormwater sampling Event</i> report dated 28 March 2022 (Reditus 2022) was sighted and includes stormwater sampling results for 3 March 2022 undertaken in response to 371mm between 23 February and 3 March 2022.</p>		
	B		Flood Management			
2.21	B	B19	<p>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:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person(s); (b) address the provisions of the Floodplain Risk Management Guideline (OEH, 2007); (c) include details of: <ul style="list-style-type: none"> (i) flood emergency responses; (ii) predicted flood levels (iii) flood warning time and flood notification; (iv) assembly points and evacuation routes; (v) evacuation and refuge protocols; and 	<p>As per previous audit, The Flood Emergency Response Plan (Ref J1902_R2) was submitted to The Department on 24 September 2019 and approved by The Department on 3 October 2019. It is included as part of the OEMP, Appendix C as approved by The Department on 3 February 2021.</p>		Compliant

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(vi) awareness training for employees and contractors.			
2.22	B	B20	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence construction until the FERP required by condition B19 is approved by the Planning Secretary; and (b) implement the most recent version of the FERP approved by the Planning Secretary for the duration of the development. 	As per previous audit, The Flood Emergency Response Plan (Ref J1902_R2) was submitted to The Department on 24 September 2019 and approved by The Department on 3 October 2019. This is the most recent version of the FERP and is being implemented.		Compliant
2.23	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.	Verified during previous audits, 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
2.24	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 previous audits 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
2.25	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 previous audits 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		Groundwater Management			
2.26	B	B24	Prior to the commencement of construction, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning	A Groundwater Management Plan was prepared: 19066RP01 GMP Version 1 Report		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>Secretary. The GMP must form part of the CEMP required by Condition C2. The GMP must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary; (b) provide the following: <ul style="list-style-type: none"> (i) baseline data on groundwater levels and quality (ii) details of construction or excavation work that may impact on groundwater (iii) a program to monitor groundwater levels and quality, groundwater impact assessment criteria and a protocol for the investigation and mitigation of identified exceedances of criteria, if potential impacts to groundwater are identified under Condition B24(b)(ii). 	<p>No: 19066RP01 GMP, Report Date: 3 May 2019, Revision Text: Version 1</p> <p>DPE approved the GMP as part of the CEMP on 3/10/2019.</p> <p>(a) the GMP was prepared by Lee Douglas Principal Hydrogeologist (CEnvP: SCP SC40974). Endorsement by DPE of Lee Douglas was recorded in letter dated 15 May 2019.</p> <p>(b)(i) the GMP provides baseline groundwater levels from October 2017, January and February 2018 in Table 3 of the GMP. Baseline groundwater quality data (physicochemical and chemical) are provided in Table 4, section 3.2.4 and Appendix B of the GMP.</p> <p>(ii) details of construction or excavation work that may impact on groundwater were identified in Table 1 of the GMP as 1. Spills / and or use of chemicals/ fuels / paints / lubricants: 2. Import of fill material and leaching of potential contaminants.</p> <p>(iii) the program of monitoring groundwater levels and quality is included in section 5 of the GMP.</p> <p>Groundwater impact assessment criteria are included I Section 6 of GMP as Groundwater Trigger values. Section 7 of the GMP includes groundwater impact mitigation measures.</p>		
2.27	B	B25	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence construction until the GMP required by condition B24 is approved by the Planning Secretary; and 	<p>A Groundwater Management Plan was prepared: 19066RP01 GMP Version 1 Report No: 19066RP01 GMP, Report Date: 3 May 2019, Revision Text: Version 1.</p>	<p>NC-02: Based on the evidence presented, the implementation of the GMP could not be verified.</p>	Non-Compliant

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(b)implement the most recent version of the GMP approved by the Planning Secretary for the duration of the development.	(a)DPE approved the GMP as part of the CEMP 3/10/2019, as verified during the previous audit (September 2021) This is the most recent version. (b) No evidence was provided to verify the approved GMP has been implemented. GMP requirements include (but not limited to) monthly inspection of wells and groundwater monitoring on a six-monthly basis including a post construction event.		
2.28	B	B26	The Applicant must obtain any necessary water related approvals from DoI in the event that groundwater is likely to be intercepted or extracted during construction works.	Groundwater has not been intercepted or extracted to date.		Not triggered
	B		Hydrology			
2.29	B	B27	The Applicant must ensure that any works within watercourses or on waterfront land is undertaken in accordance with DoI's 'Guidelines for Controlled Activities on Waterfront Land (2018)'.	No works within the watercourse.		Not triggered
	B		BIODIVERSITY			
	B		Removal of Vegetation			
2.30	B	B28	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 'Arboreport Vegetation Management Consultants dated 4 April 2018 shall be cleared.	Removal of vegetation has not occurred during Stage 2.		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
2.31	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.	Vegetation has been retained as per site inspection photos.		Compliant
	B		Biodiversity Management Plan			
2.32	B	B30	<p>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:</p> <ul style="list-style-type: none"> (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) remnant native vegetation removed from the site, especially juvenile plants are translocated to the proposed landscape areas; (c) the topsoil from the removal of native vegetation is used in site landscaping; and (d) seed from the native plants removed from the site is collected and used in site landscaping. 	Clearing was completed during the Stage 1 development. No clearing proposed for Stage 2.		Compliant
2.33	B	B30A	<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> <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; 	<p>The previous audit (March 2022) verified the Biodiversity Management Plan was updated and was in draft form – Draft Version 03 dated 21 December 2021.</p> <p>A Non-Compliance was raised during the March 2022 audit as The Biodiversity Management Plan had been updated by Biosis and had not yet been submitted to EESG and DPE.</p>		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<ul style="list-style-type: none"> (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. 	The final Biodiversity Management Plan dated 20 October 2022 (Version 2) and approved by DPE on 25 October 2022 as evidenced by letter provided. This finding is now closed.		
	B		Landscaping			
2.34	B	B31	<p>The Applicant must ensure the site landscaping features a diversity of native vegetation from the relevant native vegetation communities. The landscaping must</p> <ul style="list-style-type: none"> (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; (b) comply with the principles of Appendix 5 of Planning for Bushfire Protection 2006; (c) feature semi-mature trees (with a minimum tree height of 2 metres and/or plant container size of at least 50 litres); (d) achieve a minimum of 4 plants per square metre; and (e) feature native grass species (such as Zoysia macrantha 'Nara') in turfed areas. 	<p>Refer to photos of site inspection for the status of the landscaping.</p> <p>No additional landscaping currently occurring for Stage 2.</p>		Compliant
	B		CONTAMINATION			
	B		Site Auditor			
2.35	B	B32	Prior to the commencement of any earthworks or remediation works on site, the Applicant must engage	Earthworks complete. Accredited EPA Site Auditor engaged as verified during previous		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			a Site Auditor accredited under the Contaminated Land Management Act 1997 NSW Site Auditor Scheme.	audits as per engagement letter dated 21 February 2019		
2.36	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.	Verified during previous audit, Accredited EPA Site Auditor endorsed the Remediation Action Plan under Interim Advise No.5 dated 30 August 2018.		Compliant
2.37	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. The previous audit (2022) verified that DPE confirmed B34 was met.		Compliant
2.38	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> .	Verified during previous audit (March 2022). No further remediation works undertaken.		Compliant
2.39	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: <ul style="list-style-type: none"> (a) be prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017; and (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. 	Verified during previous audit (March 2022). Site Audit Report and Site Audit Statement approved by DPE on 4 December 2020.		Compliant

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	B		Long Term Environmental Management Plan			
2.40	B	B37	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 audits and was approved by DPE on 5 November 2020		Compliant
2.41	B	B38	<p>The LTEMP is to:</p> <ul style="list-style-type: none"> (a) address all environmental impacts of the development's construction and operational phases; (b) recommend any systems/controls to be implemented to minimise the potential for any adverse environmental impact(s); (c) incorporate a programme for ongoing monitoring and review to ensure that the LTEMP remains contemporary with relevant environmental standards; and (d) mechanisms to report results to relevant agencies (e.g. Council and EPA). 	The Long Term Environmental Management Plan (LTEMP) was verified during previous audits and remains unchanged. Version 3 dated 12 October 2020 was approved by DPE on 5 November 2020.		Compliant
2.42	B	B39	<p>Upon completion of the Site Audit Statement and Site Audit Report, the Applicant must:</p> <ul style="list-style-type: none"> (a) implement the approved LTEMP; and (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 Environmental Planning and Assessment Act 1979, for the development. 	<p>(a)The LTEMP is being implemented. To date, there has been no activities that have required penetration of the ACM encapsulated area.</p> <p>Should this occur in future, the contractor would contact the Dicker Data Property Manager. The Property Manager would go through the LTEMP with the contractor and review the contractor processes & procedures for conducting the work. Dicker Data would seek external training resources to provide asbestos awareness training.</p> <p>Section 6.1.1 requires routine site inspection every year or immediately after penetration</p>	NC-03: Based on the evidence presented during the audit, submission to the Planning Secretary that the LTEMP is listed on the s10.7 was unable to be verified.	Non-Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				<p>of the concrete above the two ACM encapsulated area.</p> <p>A copy of the 'Registered Asbestos Containment Area Inspection Report' dated July 2022 was provided as evidence the yearly inspection has been undertaken.</p> <p>(b)The LTEMP is listed on the s10.7 certificate for Lot 101 DP 1253331. The s10.7 certificate was provided.</p> <p>There was no information to show evidence was provided to the Planning Secretary that the LTEMP is listed on the section 10.7.</p>		
	B		Asbestos			
2.43	B	B40	<p>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:</p> <ul style="list-style-type: none"> (a) Work Health and Safety Regulation 2017; (b) Model Code of Practice – How to Manage and Control Asbestos in the Workplace, 2016 Safe Work Australia; (c) Model Code of Practice – How to Safely Remove Asbestos, 2016 Safe Work Australia; and (d) Protection of the Environment Operations (Waste) Regulation 2014. 	<p>No asbestos finds following remediation works or during Stage 2 construction.</p> <p>Asbestos Management Plan was developed and implemented during the works as verified in the previous audits.</p>		Compliant
	B		Acid Sulphate Soils Management Plan			
2.44	B	B41	The Applicant shall prepare and implement an Acid Sulphate Soil Management Plan for construction and	As verified in previous audits, an Acid Sulphate Soil Management Plan 84677.02.R.001.Rev1		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			demolition in accordance with the NSW EPA's 'Acid Sulphate Soils Manual 1998'.	<p>dated 24 August 2018 was prepared by Douglas Partner is appended to the OEMP as Appendix D.</p> <p>The ASSMP was prepared as a contingency with the proposed excavation depth to 1m and no acid sulphate soils expected to be encountered during the main excavation works at the site.</p> <p>The depth of excavation during the development has been 0.4 metres below ground level and no suspected acid sulphate soils or groundwater has been encountered.</p> <p>Implementation of the ASSMP has included review of results and potential of encountering acid sulphate soils prior to commencement of excavations. No further assessment and treatment of acid sulphate soils has not been required.</p>		
	B		FIRE PROTECTION AND MANAGEMENT			
	B		Asset Protection Zones			
2.45	B	B42	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).	<p>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.</p> <p>Bushfire Emergency Evacuation Plan [BEEP], April 2020 developed and implemented.</p>		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	B		Design and Construction			
2.46	B	B43	<p>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> <ul style="list-style-type: none"> (a) internal access roads comply with section 4.1.3(2) of Planning for Bushfire Protection 2006; (b) arrangements for emergency and evacuation comply with section 4.2.7 of Planning for Bushfire Protection 2006; and (c) the provision of water, electricity and gas complies with section 4.1.3 of Planning for Bushfire Protection 2006. 	<p>The development is still operating under the Interim Occupation Certificate No. E20031/IOC-01 dated 30 July 2021 from Elite Certification. No changes required for Stage 2.</p>		Compliant
	B		Bush Fire Emergency Management			
2.47	B	B44	<p>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 Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan.</p>	<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		ABORIGINAL HERITAGE			
	B		Aboriginal Cultural Heritage Management Plan (ACHMP)			
2.48	B	B45	<p>Before the commencement of any clearing or construction works, the Applicant must prepare an ACHMP for the development to protect and manage</p>	<p>No change from previous audit. Clearing was complete in Stage 1. The ACHMP was prepared by Coast History & Heritage June 2019</p>		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>middens and other Aboriginal artefacts on the site. The plan must form part of the CEMP required by Condition C2 and must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties; (b) be submitted to the satisfaction of the Planning Secretary prior to construction of any part of the development; and (c) describe the measures to protect middens and other Aboriginal artefacts on the site in perpetuity. 	<p>(approved by DPE as part of the CEMP 3/10/2019) and implemented as verified during the previous audit.</p> <p>The Aboriginal pad area continues to be preserved.</p>		
2.49	B	B46	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence construction until the Aboriginal Cultural Heritage Management Plan is approved by the Planning Secretary; and (b) implement the most recent version of the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary for the duration of the development. 	<p>No change from previous audit. Clearing was complete in Stage 1. 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.</p> <p>The Aboriginal pad area continues to be preserved.</p>		Compliant
	B		Unexpected Finds Protocol			
2.50	B	B47	<p>If any item or object of Aboriginal heritage significance is identified on site:</p> <ul style="list-style-type: none"> (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately; (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and (c) the Heritage NSW must be contacted immediately. 	<p>No change from previous audit. The Process was defined in the ACHMP.</p> <p>No unexpected finds to date.</p>		Compliant
2.51	B	B48	<p>Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the National Parks and Wildlife Act 1974.</p>	<p>No change from previous audit. The Process was defined in the ACHMP.</p> <p>No unexpected finds to date.</p>		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	B		HISTORIC HERITAGE			
	B		Unexpected Finds Protocol			
2.52	B	B49	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.	No change from previous audit. The Process was defined in the ACHMP. No unexpected finds to date.		Compliant
	B		AIR QUALITY			
	B		Dust Minimisation			
2.53	B	B50	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	No dust evident during site inspection. Refer to photos.		Compliant
2.54	B	B51	During construction, the Applicant must ensure that: <ul style="list-style-type: none"> (a) exposed surfaces and stockpiles are suppressed by regular watering; (b) all trucks entering or leaving the site with loads have their loads covered; (c) trucks associated with the development do not track dirt onto the public road network; (d) public roads used by these trucks are kept clean; and (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces. 	No dust evident during site inspection. No trucks were observed entering or leaving the site during the inspection, therefore no tracking of dirt onto public roads or requirement for cleaning. Refer to photos. Continued dust management addressed in the LTEMP, Section 5.5 Dust Suppression		Compliant

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating													
	B		NOISE																
	B		Hours of Work																
2.55	B	B52	<p>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><tr><th>Activity</th><th>Day</th><th>Time</th></tr><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></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. Generally, works days are 7am to 3.30pm. Concrete pours may go to 6pm within approved hours.		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																	
2.56	B	B53	<p>Works outside of the hours identified in condition B52 may be undertaken in the following circumstances:</p> <p>(a) works that are inaudible at the nearest sensitive receivers;</p> <p>(b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or</p> <p>(c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.</p>	Works conducted within the approved working hours only.		Compliant													
	B		Construction Noise Limits																
2.57	B	B54	<p>The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (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</p>	No noise complaints received to date.		Compliant													

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			management and mitigation measures in the Appendix 3.			
	B		FOOD PREPARATION AND STORAGE AREA			
2.58	B	B55	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 Australian Standard AS 4674-2004 'Design Construction and Fitout of Food Premises'.	Requirements certified under Interim Occupation Certificate E200331/IOC-01.		Compliant
	B		HAZARDS AND RISK			
2.59	B	B56	The Applicant must store all chemicals, fuels and oils used on-site in accordance with: <ul style="list-style-type: none"> (a) the requirements of all relevant Australian Standards; and (b) the NSW EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i> if the chemicals are liquids. 	No chemical storage occurring on-site.		Compliant
2.60	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.	No chemical storage occurring on-site.		Compliant
	B		Bunding			
2.61	B	B58	The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded 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 chemical storage occurring on-site.		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	B		WASTE MANAGEMENT			
	B		Pests, Vermin and Noxious Weed Management			
2.62	B	B59	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) implement suitable measures to manage pests, vermin and declared noxious weeds on the site; and (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or 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. Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the <i>Noxious Weed Act 1993</i>. 	<p>Pestlogic invoices presented as follows:</p> <ul style="list-style-type: none"> • Invoice 0544 dated 18 September 2022 including lawn treatment and weed control • Invoice 0574 dated 20 November 2022 including ant and weed treatment • Invoice 0623 dated 17 January 2023 for weed treatment 		Compliant
	B		Waste Storage and Processing			
2.63	B	B60	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.	Verified during previous audit, Sutherland Shire Council's acceptance for SSD 8662 Consent Conditions B60 & B61 Waste Storage was provided 18 September 2020.		Compliant
2.64	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 evident during site inspection. Recycling and general waste bins in kitchen.		Complaint
	B		VISUAL AMENITY			
	B		Lighting			
2.65	B	B62	The Applicant must ensure the lighting associated with the development:	Verified during the previous audit, lighting was completed as designed		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(a) complies with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and (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.	Installation Certificate from New Edge Group Australia Pty Ltd dated 30 Nov 2020 satisfies the clause (a) and (b) of B62.		
	B		Fencing			
2.66	B	B63	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	Verified during previous audit. Fencing established around the site perimeter as per the development plans in Appendix 1 and remains.		Compliant
	B		Airspace Protection			
2.67	B	B64	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 and Airports (Protection of Airspace) Regulations 1996</i> .	Verified during previous audit. 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		COMMUNITY ENGAGEMENT			
2.68	B	B65	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.		Compliant

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
3	PART	C	ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING			
	C		ENVIRONMENTAL MANAGEMENT			
	C		Management Plan Requirements			
3.1	C	C1	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <ul style="list-style-type: none"> (i) detailed baseline data; (ii) details of: <ul style="list-style-type: none"> (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures and criteria; and (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; (iii) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; (iv) a program to monitor and report on the: <ul style="list-style-type: none"> (i) impacts and environmental performance of the development; and (ii) effectiveness of the management measures set out pursuant to paragraph (e) above; (v) 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; (vi) a program to investigate and implement ways to improve the environmental performance of the development over time; 	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

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>(vii) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</p> <p>(ii) complaint;</p> <p>(iii) failure to comply with statutory requirements; and</p> <p>(viii) a protocol for periodic review of the plan.</p> <p><i>Note: the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</i></p>			
	C		OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN			
3.2	C	C2	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.	Verified during previous audit. 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
3.3	C	C3	<p>As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following:</p> <p>(a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</p> <p>(b) describe the procedures that would be implemented to:</p> <p>(c) Flood Emergency Response (see Condition B19);</p> <p>(d) Groundwater Management Plan (see Condition B24);</p> <p>(e) Aboriginal Cultural Heritage Management Plan (see Condition B45); and</p> <p>(f) Community Consultation and Complaints Handling.</p>	Verified during previous audit.		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
3.4	C	C4	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time. 	<p>(a) The Construction Environmental Management Plan (CEMP) dated 23 September 2019 was approved by DPE on 3/10/2019 and also applies to Stage 2.</p> <p>(b) Evidence of construction being undertaken in accordance with the CEMP included:</p> <ul style="list-style-type: none"> - Traffic management with internal road signage clearly visible no queuing of heavy vehicle on public road, staff and construction worker parking was generously available, clear access/egress traffic flow and separation of heavy vehicle laydown area adjacent to the warehouse building (currently operational) - Environmental controls were observed in place in accordance with the erosion and sedimentation plan for Stage 2 - No sediment tracking internally or onto surrounding roads was observed. -No environmental incidents -No complaints have been received. A complaints register exists. -Independent Environmental Audits are being undertaken. <p>As noted under B25, the implementation of the GMP (a subplan of the CEMP) could not be verified and was raised as NC-02.</p>	<p>NC-02: The implementation of the GMP (as a subplan of the CEMP) could not be verified.</p>	<p>. Non Compliant</p>
	C		CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN			
3.5	C	C5	The Applicant must prepare a Construction Environmental Management Plan (CEMP) in	The Construction Environmental Management Plan (CEMP) dated 23 September 2019 was		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	approved by DPE on 3/10/2019 and verified during the previous audits.		
3.6	C	C6	<p>As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following:</p> <ul style="list-style-type: none"> (a) Construction Traffic Management Plan (see Condition B1); (b) Erosion and Sediment Control Plan (see Condition B16); <ul style="list-style-type: none"> (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development; (ii) receive, handle, respond to, and record complaints; (iii) resolve any disputes that may arise; (iv) respond to any non-compliance; (v) respond to emergencies; and (c) include the following environmental management plans: <ul style="list-style-type: none"> (i) Work Place Travel Plan (see Condition B12); and (ii) Flood Emergency Response (see Condition B19). 	<p>Verified during previous audit. 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> <p>Erosion and Sediment Control Plan was evidenced for Stage 2.</p>		Compliant
3.7	C	C7	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence operation until the OEMP is approved by the Planning Secretary; and (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time). 	<p>Verified during previous audit. 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. The development is still operating under the Interim Occupation Certificate No. E20031/IOC-01 dated 30 July 2021 from Elite Certification.</p>		Compliant

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	C		REVISION OF STRATEGIES, PLANS AND PROGRAMS			
3.8	C	C8	<p>Within three months of:</p> <ul style="list-style-type: none"> (a) the submission of a Compliance Report under condition C15; (b) the submission of an incident report under condition C10; (c) the submission of an Independent Audit under condition C18; (d) the approval of any modification of the conditions of this consent; or (e) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review, the strategies, plans and programs required under this consent must be reviewed. 	<p>Construction Traffic Management Plan & Erosion and Sediment Management Plan updated for Stage 2 only. Approved by the Department on the 15 March 2022 as per letter and in accordance with condition C4.</p> <p>Stage 2 remains under Mod 1.</p> <p>Findings during the audit did not trigger any plan reviews.</p>		Not triggered
3.9	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>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.</p>	<p>The Construction Traffic Management Plan & Erosion and Sediment Management Plan was updated for Stage 2.</p> <p>CTMP is dated 1 February 2022, & Erosion and Sediment Management Plan is dated 28 January 2022. Submitted and approved by the Department – DPE approval letter dated 15 March 2022.</p> <p>The GMP was reviewed and the potential risks to groundwater during construction (Table 1) as chemical/fuel/paint/lubricants spills and leaching of potential contaminants from importation of fill material remain valid for Stage 2.</p> <p>No updates were required to improve the environmental performance of the development. As the GMP has not be implemented (B25), future updates may be</p>		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				required based on the outcomes of the GMP implementation.		
	C		REPORTING AND AUDITING			
	C		Incident Notification, Reporting and Response			
3.10	C	C10	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.	No incidents to date.		Not triggered
	C		Non-Compliance Notification			
3.11	C	C11	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.	Non-Compliances raised during the previous March 2022 audit were unchanged from preceding audit; also confirmed within the Department letter dated 7 June 2022 in response to the non-compliances and audit report dated 28 April 2022.	Dicker Data to submit the Non-Compliances identified as part of this audit report within seven days to retain compliance with this condition.	Compliant
3.12	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.	Addressed as per condition C11 – Department letter sighted as dated 7 June 2022 confirming non-compliance notification and audit report (28 April 2022).	Dicker Data to note requirements.	Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
3.13	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 have occurred to date.		Not triggered
	C		Compliance Reporting			
3.14	C	C14	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.	For Stage 1, 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 confirmed by Dicker Data as 5 October 2021. No requirement for Stage 2 under revised 2020 Compliance Reporting and Audit Post Approval Requirements		Compliant
3.15	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. No evidence of Operational Compliance Report.	NC-04: The Operational Compliance report as required for the duration of operation at intervals no greater than 52 weeks from date of commencement of operating has not been prepared and is raised as NC-03.	Non-Compliance
3.16	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.	As C15 is a Non-Compliance, the Operational Compliance report has not been prepared to be made publicly available.	NC-05: As C15 has not been met, the Operational Compliance report has not been made publicly available or the Department notified and is raised as NC-04	Non-Compliance
	C		Independent Audit			

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
3.17	C	C17	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.		Complaint
3.18	C	C18	Independent Audits of the development must be carried out in accordance with: (a) the Independent Audit Program submitted to the Department under condition C17 of this consent; and (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	As per the advisory letter received on 10 June 2020 from DPE, submission of the revised audit program was no longer required. Audits have been undertaken in accordance with the Independent Audit Post Approval Requirements (IAPAR) 2020.		Compliant
3.19	C	C19	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: (a) review and respond to each Independent Audit Report prepared under condition C18 of this consent; (b) submit the response to the Department; and (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 report for 25 & 28 March 2022 is available on the Dicker Data website. The draft report was submitted to Dicker Data on 14 April 2022, email from AQUAS. Dicker Data responded 27 August 2022 with the final report submitted to Dicker Data on 27 April 2022 by AQUAS as per email evidence. Dicker Data submitted the response to the Department on 28 April 2022 as verified within the Department letter dated 7 June 2022.	Dicker Data to note requirements for the audit report to retain compliance.	Compliant
	C		Monitoring and Environmental Audits			
3.20	C	C20	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	A total of six Independent Environmental Audits including this one, were conducted within the required timeframes. There were no environmental incidents or complaints		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>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>	reported against the SSD. Stage 1 of the development is now operational and Stage 2 is under construction.		
	C		ACCESS TO INFORMATION			
3.21	C	C21	<p>A site notice(s):</p> <p>(a) 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>(i) the documents referred to in condition A2 of this consent;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) the proposed staging plans for the development if the construction,</p>	<p>The Project website still in place: https://www.dickerdata.com.au/facility/238-258-captain-cook-drive-kurnell-development.</p> <p>Website information includes contact details for development and complaints register.</p> <p>Environmental performance report – monitoring results for stormwater program</p> <p>The list of reports on the website include the Aboriginal Cultural Heritage Management, Biodiversity Development Assessment Report, Bushfire Protection Assessment Report, Pre Construction Compliance Monitoring Report Dicker Data Lt Ver 0.1, Independent Environmental Audit Reports.</p>		Compliant

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>operation or decommissioning of the development is to be staged;</p> <p>(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;</p> <p>(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;</p> <p>(vii) a summary of the current stage and progress of the development;</p> <p>(viii) contact details to enquire about the development or to make a complaint;</p> <p>(ix) a complaints register, updated monthly;</p> <p>(x) the Compliance Report of the development;</p> <p>(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;</p> <p>(xii) any other matter required by the Planning Secretary; and</p> <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>			
4	APPX	3	APPLICANT'S MANAGEMENT AND MITIGATION MEASURES			
	APPX					

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
4.1	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.	A Communications Manager was nominated during Stage 1 construction and verified during previous audit and remains the same for the Stage 2.		Compliant
4.2	3	2	Construction Impacts Prior to Construction: The Proponent will develop a Construction Environmental Management Plan (CEMP) for the project	A CEMP was developed and is being implemented for Stage 2 construction.		Compliant
4.3	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	The ACHMP was prepared by Coast History and Heritage and is being implemented for the duration of construction.		Compliant
4.4	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	The ACHMP was included in the induction.		Compliant
4.5		5	Aboriginal Heritage During Operation: The unexpected finds protocol as detailed in the ACHMP would continue to be implemented during site operations.	Verified during previous audit. The unexpected finds protocol is included in 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
4.6		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.	Aboriginal pad area onsite continues to be preserved.		Compliant

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
4.7		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	Verified during previous audits. Remediation Action Plan was implemented. LTEMP continues to be implemented.		Compliant
4.8		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.	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.		
4.9		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 and finalised since the previous audit. The swale and overflow culvert were designed and constructed as per the Landscape Management Plan which was certified by the CA. Stormwater sampling have been undertaken by Reditus however these are applicable to Stage 1 works.		Complaint
4.10		10	Biodiversity Construction: Landscaping works will be undertaken in accordance with the approved landscape drawings.	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.		Complaint
4.11		11	Biodiversity During Construction: Install appropriate exclusion fencing around trees and vegetation to be retained.	Verified during previous and current audit. Trees retained as verified during site inspection. Refer to photos.		Complaint

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
4.12		12	Biodiversity During Construction: Implement the recommended measures in Section 5.1 of the BDAR during construction.	The BMP is being implemented as verified.		Complaint
4.13		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.	The BMP is being implemented as verified.		Complaint
4.14		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 defendable spaces, separation emergency vehicle access/egress, ongoing management and maintenance, and adequate utility services.		Complaint
4.15		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.	Erosion and sedimentation control has been prepared and implemented for Stage 2 construction.		Complaint
4.16		16	Soils During Construction: Stabilised exposed surfaces as soon as practicable.	Exposed surfaces were noted to be stabilised during site inspection.		Complaint
4.17		17	Groundwater During Construction: A groundwater extraction licence would be obtained should groundwater be required for construction and/or operational activities.	This was not required. No groundwater extraction undertaken to date.		Complaint

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
4.18		18	Noise and Vibration Prior to Construction: A Construction Environmental Management Plan would be implemented as part of construction.	CEMP requirements have been implemented with no complaints received to date.		Complaint
4.19		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.	No night works have occurred to date for the construction and no future nightworks proposed.		Complaint
4.20		20	Ecologically Sustainable Development During Detailed Design: The following measures would be employed in detailed design to minimise consumption of resources, water and energy: <ul style="list-style-type: none"> • Water efficient fixtures, fittings and practices; • Energy and water efficient equipment; • Naturally ventilated spaces; • Rainwater harvesting for irrigation and toilet flushing; • Solar panels to be installed subject to resolving fallout from aircraft issues; • Efficient building management systems and equipment, including lighting; • Passive design elements such as building orientation, external shading, appropriate use of thermal mass, performance glazing, thermal efficiency of building fabric. 	Stage 1 of the development is now operational and verified during the previous audits including: <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. 		Complaint
4.21		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.		Complaint

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				The Flood Emergency Response Plan prepared by Floodmit Pty Ltd, May 2019 and is appended to the OEMP as Appendix C		
5	APPX	4	INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS			
5.1	APPX4	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.	No incidents to date.		Not triggered
5.2	APPX4	2	Written notification of an incident must: <ul style="list-style-type: none"> (a) identify the development and application number; (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); (c) identify how the incident was detected; (d) identify when the applicant became aware of the incident; (e) identify any actual or potential non-compliance with conditions of consent; (f) describe what immediate steps were taken in relation to the incident; (g) identify further action(s) that will be taken in relation to the incident; and (h) identify a project contact for further communication regarding the incident. 	No incidents to date.		Not triggered

Audit Compliance Codes: Compliant | Non-Compliant; | Not triggered

ID No.	SSD Part	Req. No.	SSD-8662-Mod-1 Requirement (Schedule 2)	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	APPX	4	INCIDENT REPORT REQUIREMENTS			
5.3	APPX4	3	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.	No incidents to date.		Not triggered
5.4	APPX4	4	The Incident Report must include: (a) a summary of the incident; (b) outcomes of an incident investigation, including identification of the cause of the incident; (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and (d) details of any communication with other stakeholders regarding the incident.	No incidents to date.		Not triggered

Appendix D. Consultation Records

The Department of Planning and Environment

Barbara Pater

From: Julia Pope <Julia.Pope@planning.nsw.gov.au>
Sent: Friday, 13 January 2023 3:07 PM
To: Barbara Pater
Cc: Michelle Battam; Maria Divis
Subject: FW: Independent Environmental Audit - Stage 2 Dicker Data Warehouse & Distribution Centre (SSD 8662)

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Categories: 2. Important/Note

EXTERNAL

Dear Barbara

I acknowledge receipt of your email requesting input from the department on the scope of the audit. The key areas are stormwater management and flood impacts, and built form.

Julia Pope
 Team Leader Compliance - Metro

NSW Planning | 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: Barbara Pater <Barbara.Pater@aquas.com.au>
Sent: Friday, 23 December 2022 1:34 PM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Cc: Michelle Battam <Michelle.Battam@aquas.com.au>
Subject: Independent Environmental Audit - Stage 2 Dicker Data Warehouse & Distribution Centre (SSD 8662)

Dear Sir/Madam,

I am writing to advise that AQUAS will be conducting the independent environmental audit of the Dicker Data Warehouse & Distribution Centre – Stage 2, as a requirement of the Development Consent SSD 8662 and Independent Audit Post Approval Requirements (IAPAR) 2020.

The audit will be conducted on the 19 January 2023, and will include a review of the construction progress onsite and environmental requirements against SSD 8662 within 12 weeks since commencement of construction of Stage 2.

In line with the consultation requirements of the Independent Audit Post Approval Requirements, Section 3.2, AQUAS seeks your input into the scope of the audit and advice on any particular areas where you would like us to focus on.

Please also advise if you wish for any stakeholders to be contacted to obtain their input into the scope of this audit.

Regards,

Barbara Pater | Exemplar Global Lead Environmental Auditor | AQUAS Consultant | Infrastructure support the APP Group

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E: barbara.pater@aquas.com.au | <https://www.aquas.com.au> | <https://www.app.com.au/aquas>

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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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,

A handwritten signature in black ink, appearing to read "R. Sherry".

Rob Sherry
Acting Director – Compliance
Planning & Assessment



Appendix F. Audit Photos – 19 January 2023



Photo 1: Maintenance of landscaped vegetation and pathway



Photo 2: Construction of Stage 2 Warehouse adjacent to completed Stage 1 Warehouse



Photo 3: Progress of Stage 2 Warehouse construction and safety sign at access gate.



Photo 4: Ponded water in Stage 2 Warehouse construction site from overnight rain retained within the site. Spoil to be reused.



Photo 5: Progress of Stage 2 Warehouse construction and demarcation of works area



Photo 6: Sediment Fence along rear boundary in accordance with Stage 2 ERSED Plan.



Photo 7: Parking for workers and visitors. Access road maintained



Photo 8: Drainage line along west boundary



Photo 9: Minor scour of drainage line along west boundary



Photo 10: Access road maintained and clear of obstructions around Stage 2 construction area



Photo 11: Stage 2 construction area access gate and safety signage



Photo 12: Machinery located in Stage 2 construction area and ponding of water due to overnight rain. Water was noted to be contained on site.



Photo 13: Staff and visitor parking area maintained adjacent to Stage 2 construction area



Photo 14: Stage 2 construction contractor signage visible



Photo 15: Jersey Barrier including signage to direct vehicles



Photo 16: Storage of construction materials within Stage 2 construction area



Photo 17: Stage 2 construction demarcated from access road.

Ponded rain from heavy rain overnight retained within Stage 2 construction area.



Photo 18: Stage 1 Warehouse unobstructed



Photo 19: Maintained landscaped area around boundary of haul road and carpark. Vehicle signage directing to parking area.

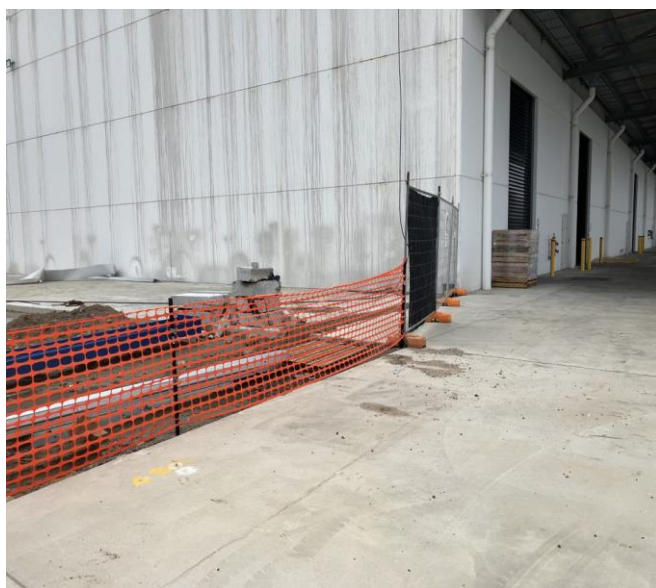


Photo 20: Demarcation of Stage 2 construction works from operating Stage 1 warehouse