Downer Rosehill Sustainable Road Resource Centre

9 Devon St, Rosehill, NSW 2142

SSD-10459 - Operational Compliance Report Number 2

Reporting Period - 12 May 2023 to 11 May 2024

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Document Version History			
Version No.	**Date**	**Document Status**	**Brief Description of Change(s) from Previous Version**
1	19/06/2024	Draft	Draft for review
1.1	08/08/2024	Draft	For site Review

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Contents

1 Acronyms 3

2 Introduction 4

1 Site Overview 4

2 Site Layout and Footprint 4

3 Summary of Operational Activities 7

3 Site Contacts 8

3 Previous Actions 9

4 Compliance Status Summary 10

5 Incidents 10

6 Complaints 10

7 Compliance Table 10

8 Declaration 11

Appendix

A IEA Action Status Table

B Environmental Performance Tables

C Compliance Table

D Compliance Report Declaration Form

1 Acronyms

ASS; Acid Sulphate Sols

AQMP; Air Quality Management Plan

AQVR; Air Quality Verification Report

AQIA; Air Quality Impact Assessment

BCA; Building Code of Australia

BPF; Bitumen Production Facility

CEMP; Construction Environmental Management Plan

CNMP; Construction Noise Management Plan

CLM Act; Contaminated Lands Management Act.

CSIE; Central Sydney Industrial Estate

DPE; Department of Planning

DPIE; Department of Planning, Infrastructure and Environment

DSRRC; Downer Sustainable Road Resource Centre

EE; Element Environmental

EIS; Environmental Impact Statement

ENM; Excavated Natural Materials

EPA; Environmental Protection Agency

EPL; Environmental Protection Licence

EP&A Act; Environmental Planning and Assessment Act

FERP; Flood Emergency Response Plan

GPT; Gross Pollution Trap

IEA; Independent Environmental Audit

LGA; Local Government Area

LEP; Local Environmental Plan

LMP; Landscape Management Plan

LTEMP; Long Term Environmental Management Plan

NATA; National Association of Testing Authorities

MAC; Muller Acoustic Consulting

NVR; Noise Verification Report

OC; Occupation Certificate

OEMP; Operational Environmental Management Plan

PCC; Parramatta City Council

PFAS; Per- and Polyfluoroalkyl Substances

PIRMP; Pollution Incident Response Management Plan

RAP; Recycled Asphalt Pavement

RAR; Response to Audit Recommendations

SAS; Site Audit Statement

SEARs; Secretary's Environmental Assessment Requirements

SSD; State Significant Development

SWVR; Surface Water Verification Report

TAS; Todoroski Air Sciences

TfNSW; Transport for NSW

WARP; Western Area Remediation Project

WSUD; Water Sensitive Urban Design

WRRP; Waste and Resource Reporting Portal

VENM; Virgin Excavated Natural Materials

2 Introduction

This Compliance Report documents the compliance status of a State Significant Development in accordance with Condition C14 of the consent for the Central Sydney Industrial Estate (CSIE) and Downer Sustainable Road Resource Centre (DSRRC) (SSD-10459). Development consent SSD 10459 was granted to VE Property on 31 January 2021.

This is the second operational compliance report completed for this site and covers the period from 12 May 2023 to 11 May 2024.

There has been no major changes to site operations this reporting period, when being compared to previous reporting period.

1 Site Overview

The site address is 9 Devon Street, Rosehill NSW 2142, and is part of lot 100 in deposited plan 1168951 and covers 35.068 ha (Figure 6.1). The DSRRC relevant to this report is on the 6.998 ha Lot 6 which is listed as part of stage 1 of the CSIE.

The site is in the Parramatta Local Government Area (LGA) and is zoned IN3 Heavy Industrial under the land use table in Part 2 of the LEP. The proposed use (general industry and waste or resource management facility – resource recovery facility) is permitted with consent in this zone.

The site is accessed from James Ruse Drive via Grand Avenue, Colquhoun Street and Devon Street or Grand Avenue, Durham and Devon streets. The site is accessed from Parramatta Road via Wentworth, Kay, Unwin, Colquhoun and Devon streets.

The site is in the southern part of Lot 6 and an elevated pad (front block) forms the northern part of the lot. The front block will possibly be used by another Downer business unit, leased or sold. The final operational use of the front block would be subject to a future development application.

2 Site Layout and Footprint

Figure 1 Site Location

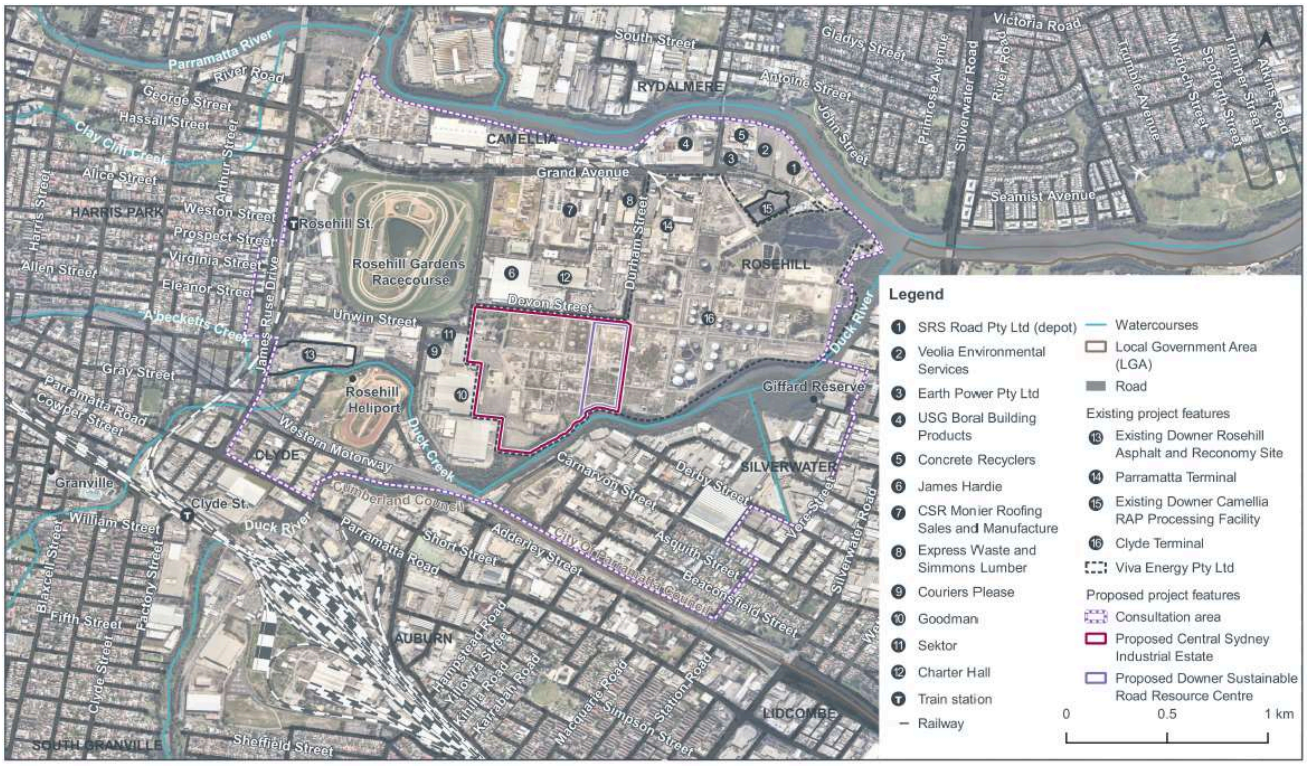

Figure 2 Local Context

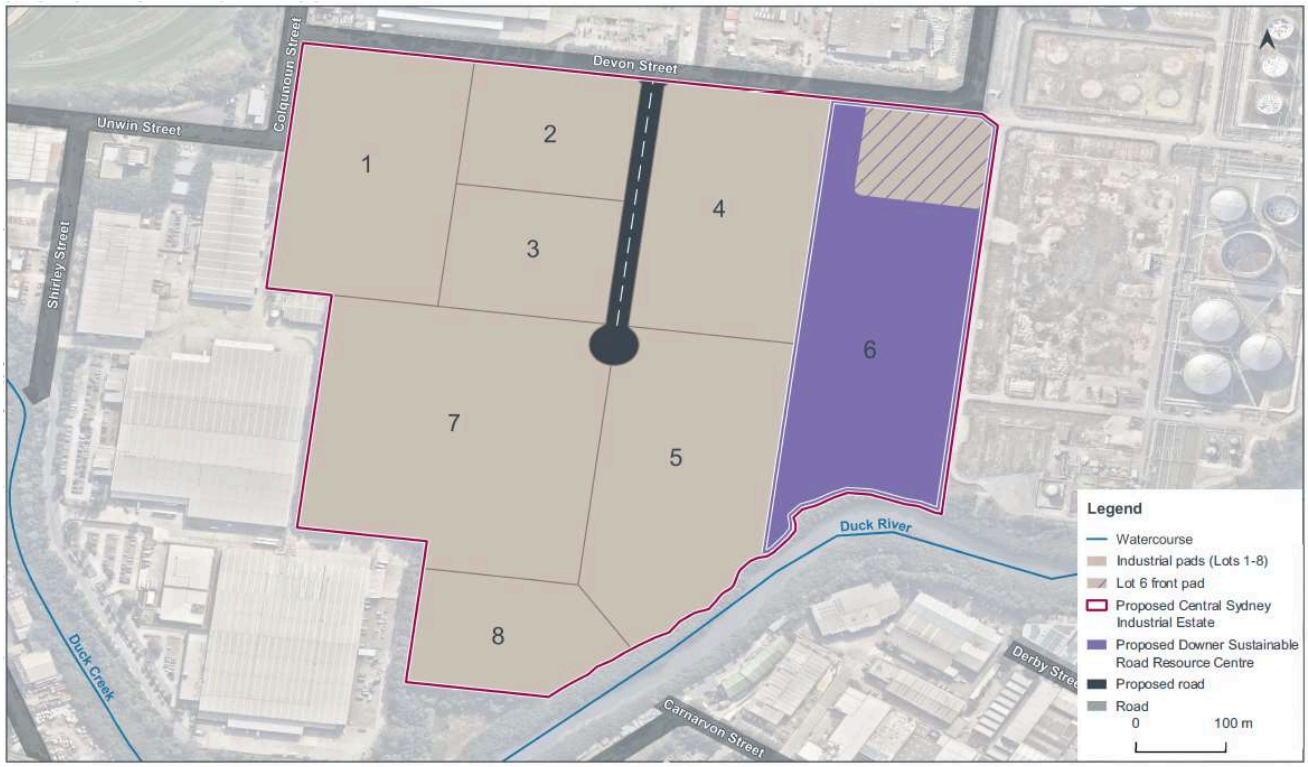

Figure 3 Site Area within CSIE

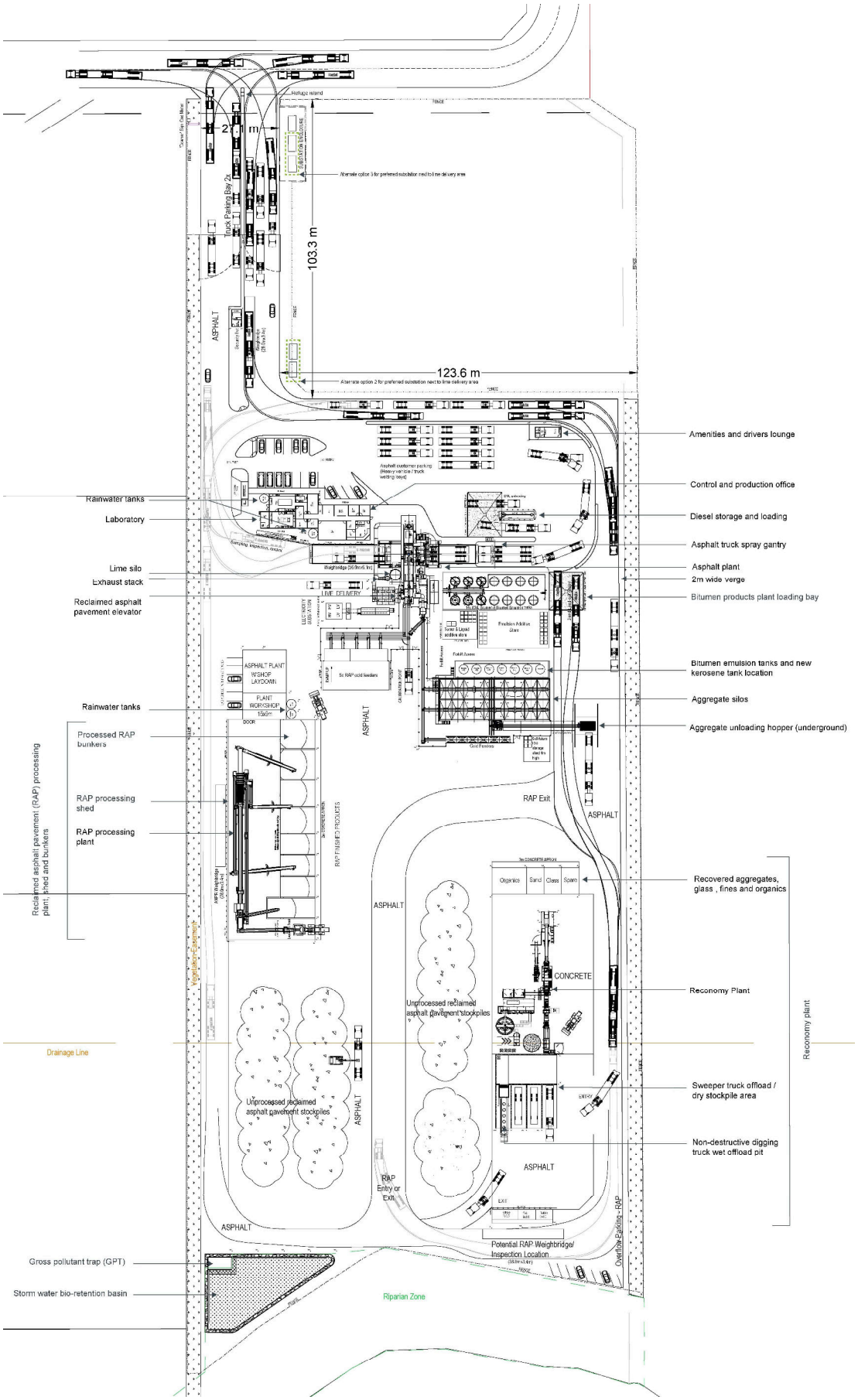

Figure 4 Site Layout

3 Summary of Operational Activities

Asphalt Plant

A fixed Ammann Universal HRT Stationary asphalt plant has been constructed on the site, which can produce up to 550,000 tonnes per annum (tpa) of asphalt. The maximum height of fixed equipment is 41 m. Approximately two thirds of the outside of the asphalt plant is clad.

The Asphalt plant is supported by raw material silos and a bitumen storage area.

Reclaimed Asphalt Pavement (RAP) Facility

Up to 250,000 tpa of RAP can be received onsite from road projects. This material, transported to site in covered tip trucks, is stored in the dedicated RAP stockpile areas prior to being granulated and screened onsite in the dedicated RAP Plant, on an as required basis for use in the production of asphalt (as a substitute for aggregates and bitumen) or for pavement materials.

The RAP plant is located inside a shed that is enclosed on the north, west and south sides. The east side is open in parts so a front-end loader can feed the RAP plant and remove the finished products. Up to 90,000 tpa of RAP can be stored on site at any one time, and stockpiles can be up to a maximum 10 m in height.

Bitumen Products Facility

Downer have been approved under both the SSD and the site Environmental Protection Licence (EPL 21611) to include a next generation, co-located emulsion plant, which will manufacture approximately 15,000 tpa using a purpose-built plant and will involve careful formulation of the products to produce chemically stable and well performing materials.

At the time of reporting this facility has not been constructed on site.

Reconomy Facility

The Reconomy facility onsite uses a customised material screening and processing plant and water treatment plant to recover materials, which are used in the manufacture of asphalt. The facility can process up to 40,000 tpa of the following waste streams which are traditionally landfilled:

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

Material separated during the recovery process is temporarily stockpiled adjacent to the recovery plant at the separation points and removed as required. Recovered aggregates and sand is temporarily stored in dedicated concrete storage bays, before being beneficially reused onsite in the adjacent asphalt plant.

Office and Laboratory

The site has a dedicated NATA accredited lab, which completes the sampling and analysis needed to meet Transport for NSW (TfNSW) Quality Assurance checks. A site office is attached to this laboratory.

A secondary site office is located towards the rear of site to support the onsite Reconomy Facility.

Weighbridges are also onsite to measure both incoming and outgoing vehicle weights.

3 Site Contacts

Key operational site contacts responsible for Compliance / Environmental Management are outlined below:

Role	Name	Details
Production Manager	Paul Sherry	**T |** 02 9897 4236 **M |** 0419 789 505 **E |** Paul.sherry@Downergroup.com
Maintenance and Recycling Manager	Roy Stiff	**T** | 0407 228 098 **E** | Roy.stiff@downergroup.com
Reconomy Production Manager	Matthew Wade	T | 0437 259 356 **E |** Matthew.wade@Downergroup.com
Site Supervisor	Gordon Mclisky	**M |** 02 9897 4337 **E |** Gordon.mclisky@downergroup.com
Reconomy Site Supervisor	Nakita Powell	T | 0437 372 658 E |Nakita.Powell@downergroup.com
Zero Harm Operations Manager	Russ Walters	**T** | 0456 619 052 **E** | Russell.Walters@downergroup.com
Environmental and Sustainability Advisor – Road Services	Colin Biggs	**T** | 0419 252 857 **E** |Colin.Biggs@downergroup.com

Figure 5 The key operational contacts for the Development.

3 Previous Actions

As of the date of completing this Operational Compliance Report, the previous actions arising from the previous Independent Environmental Audit (IEA) and/or Compliance Report completed last year, consisted of the following actions.

Condition	2023 Compliance Report	2024 Compliance Report	Action
B10	non-complaint	Non-complaint	No action is required to be raised to rectify this non-compliance
B17	Non-complaint	Not triggered	Given that the BPF has not been constructed, no action is required to be raised to rectify this until 3 after such time as BPF is commissioned.
B19	Not triggered	Compliant	The Site Audit Statement (SAS) issued for Stage 1 area (Part Lot 100 in DP1168951) contains Validation Reports obtained and witnessed in the IEA.
B29	Not triggered	Compliant	A Surface Water Verification Report (SWVR) was submitted to the Planning Secretary via the Planning Portal. The SWVR was due no later than 12 August 2023 (operations commenced 12 May 2022).
C8	Not triggered	Compliant	Notification to modify the SSD Consent has been raised to seek approval to raise the At Any One-Time limits for both RAP and Reconomy and to allow beach rakings to be added to the SSD and the Environmental Protection License
C14	Not triggered	Non-complaint	1st Operational Compliance Report was submitted on the 15 October 2023 and was sent via the Major Projects Portal only. The Compliance Report was due no later than 12 November 2023 (operations commenced 12 May 2022).
C15	Not triggered	Compliant	The Operational Compliance Report as required by the consent, was made publicly available on the company website
C16	Non-complaint	Non-complaint	No action is required to be raised to rectify this non-compliance

Figure 6 Previous Action Summary

Additional actions from the IEA, Timing and Status refer to Appendix A – IEA Action Status Table

4 Compliance Status Summary

A summary of the findings of this audit, and therefore the compliance status of the site in relation to SSD-10459 is outlined below.

Finding Type	Number of Findings
Compliant	106
Non-Compliant	3
Not Triggered	27

Figure 6 Compliance Status Summary

Please refer to **Appendix B – Compliance Table**, for the full findings from this audit.

5 Incidents

As of the date of completing this Operational Compliance Report, there are no incidents which relate to the SSD-10459 development.

6 Complaints

As of the date of completing this Operational Compliance Report, there are no complaints received which relate to the SSD-10459 development.

7 Compliance Table

A Compliance Table for this reporting period is provided as **Appendix B** of the compliance report.

The Compliance Table includes a compliance status for each condition of consent and uses the below listed relevant descriptors. A description of these descriptors is outlined below.

Status	Description
Compliant	The proponent has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with.

Non-compliant	The proponent has identified a non-compliance with one or more elements of the requirement.
Not triggered	A requirement has an activation or timing trigger that has not been met at the phase of the development when the compliance assessment is undertaken, therefore an assessment of compliance is not relevant.

Figure 7 Compliance status descriptors

8 Declaration

In accordance with the NSW Department of Planning, Industry and Environment's "*SF20/40224 Compliance Reporting; Post Approval Requirements May 2020*", the Authorised Reporting Officer has completed a Compliance Report Declaration Form to support this Compliance Report. This has been provided in **Appendix F**.

The Authorised Reporting Officer declares that:

1) The Compliance Report has been prepared/reviewed to be in accordance with the requirements set out in *Requirement 1* of the *NSW Department of Planning, Industry and Environment | SF20/40224 Compliance Reporting; Post Approval Requirements May 2020*.
2) Compliance with all relevant conditions of consent was assessed when preparing the Compliance Report.
3) The information contained in the Compliance Report is correct; and
4) The Compliance Report provides an accurate summary of the compliance status of the development during the reporting period.

List of Appendices

A IEA Action Status Table
B Environmental Performance Tables
C Compliance Table
D Compliance Report Declaration Form

Appendix A: IEA Action Status Table

Source	Condition	Action Proposed	Completion Date	Status	Action Completed
IEA 2024	A9	Update the site induction to inform of presence of residual contamination capped on site and controls for intrusive works or prepare a specific intrusive works induction for personnel doing intrusive works. (subject to the outcome of Finding IA1-1)	Prior to any ground disturbance works (e.g. maintenance) and induction of personnel associated with ground disturbance.	Completed	Full site induction has been updated to include reference to the LTEMP.
	A12	Notify the Department that the DSRRC's Bitumen Products Facility (BPF) has not been constructed and that Downer has no plans to construct it in the near future. If Downer decides to construct the BPF, assess and identify the consent implications of developing the BPF in consultation and agreement with DPE (e.g. validity of consent after 5 years, simultaneous construction and operational activities, etc)	Within 3 months of the First Independent Audit	Completed	Both the Department and EPA have been informed that Downer has no immediate intention of building or incorporating the BPF business on the Rosehill site.
	B10	Update and submit to the EPA and DPE the AQVR within 3 months of commencement of operation of the DSRRC's BPF (subject to the outcome of Finding IA1-2)	Within 3 months of commencement of operation of the DSRRC's BPF	Ongoing	BPF facility not yet operational
	B17	Update and submit to the EPA and DPE the NVR within 3 months of commencement of operation of the DSRRC's BPF (subject to the outcome of Finding IA1-2	Within 3 months of commencement of operation of the DSRRC's BPF	Ongoing	See Above
	C5	Submit updated versions of the OEMP to DPE in accordance with Conditions C5 and C8	As soon as the OEMP is updated and approved internally, but no later than 3 months from this audit	Ongoing	OEMP was submitted within initial 3-month period as required. Latest version of OEMP was for submitted for review on 16/08/2024
	C11	Retrospectively notify the Department of the non-compliance with Condition C16	Immediately	Closed	Notification given on 12/09/2023
	C16	In future audits, ensure that the Independent Environmental Audit is undertaken within the timeframes of C16	Within the timeframes of C16	Ongoing	Not Triggered
	C19	Upload in the project website all current statutory approvals of the DSRRC	As soon as the statutory approval is obtained	Ongoing	Conducted as required for yearly AR Application

Appendix B: Environmental Performance Tables

As no previous report has been submitted prior to the Operational Compliance Report 1 a review of the environmental performance of the development in accordance with the Schedule 2, Part C, Condition C14 a), b) and c) of consent SSD-10459 was not previously included. However, Downer is now providing these requirements as standalone sections within this report based on the outcomes of the previous compliance report and the Independent Environmental Audit (EIA), Noise Verification Report NVR), Air Quality Verification Report (AQVR) and Surface Water Verification Report (SWVR) submitted in accordance with the conditions of SSD-10459.

Condition C14 a) – *identify any trends in the monitoring data, required under this consent.*

Aspect	**Report**	**Comments**
Noise	Muller Acoustic Consulting Pty Ltd (MAC); Noise Verification Report Central Sydney Industrial Estate, Rosehill, NSW (August 2022)	Compliant with estimates stated in Environmental Impact Statement, (September 2020) Appendix C
Air Quality and Odour	Todoroski Air Sciences (TAS); Air Quality Verification Report Downer Sustainable Road Resource Centre. (21/11/2022)	Compliant with estimates stated in Environmental Impact Statement (September 2020) Appendix D
Dust	Assured Environmental Project Reference ID: 15543 (6/06/2024)	Compliant with estimates stated in Environmental Impact Statement (September 2020) Appendix D
Water Quality	Costin Roe Consulting Pty Ltd; Surface Water Verification Report (30/02/2024)	Compliant with estimates stated in Environmental Impact Statement (September 2020) Appendix F

Condition C14 b) – *identify any discrepancies between the predicted and actual impacts of the development and analyse the potential cause of any significant discrepancies.*

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period	Consistent (Y/N)
Noise	Noise generated during operation of Stage 1 will not exceed project noise trigger levels at nearby receivers, with the proprietary noise reduction measures incorporated into the asphalt plant design.	Compliant with estimates stated in Environmental Impact Statement, (September 2020) Appendix C	Y
Air quality and odour	Dust, other pollutants and odour generated during the project will not exceed criteria at residential receivers. However, cumulative criteria will be exceeded for nearby industrial and commercial receivers. Industrial receivers are subject to workplace air quality standards and the approved methods criteria are not applicable. The exceedance at the commercial receiver is minor and people would not be in this commercial premises for long term periods (ie an annual period). The 24-hour average concentrations at the commercial premises will be below the short-term criteria. Management measures will be implemented to further reduce the potential for dust impacts during construction and operation of the project	Compliant with estimates stated in Environmental Impact Statement (September 2020) Appendix D	Y
Water quality	During the operational phase of the development, the proposed stormwater quality treatment system incorporating the use of a treatment train of gross pollutant traps and bio-retention filtration is proposed to mitigate any increase in stormwater pollutant load generated by the development.	Compliant with estimates stated in Environmental Impact Statement (September 2020) Appendix F	Y

Condition C14 c) – *the measures that will be implemented over the next year to improve the environmental performance of the report.*

Due to operational compliance regarding environmental performance, existing mitigation measures will continue to be implemented and adhered to.

The site continues to monitor environmental performance and will identify and implement additional measures as required.

Appendix C: Compliance Table

Condition of consent number	Compliance Requirement *(Note: where a condition has multiple subsets, each separate compliance requirement is to be placed on a separate line)*	Development phase	Evidence and comments	Compliance status
PART A ADMINISTRATIVE CONDITIONS				
Obligation to Minimise Harm to the Environment				
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	At All Times	- Project Manager confirmed management of the construction site has been in accordance with the SSD, CEMP, and Sub-Plans. - Current Site Management team has confirmed management of the Operational site has been in accordance with the SSD, OEMP and Sub-Plans - Key environmental issues are raised during site inductions and any further concerns are discussed at pre-start meetings & toolbox talks. - Incidents are recorded and investigated for opportunities for improvement. Zero material incidents in the reporting period. All publicly available information required by this Development Consent is available on the DSRRC website: (https://www.downergroup.com/downer-rosehill-sustainable-resource-centre)	Compliant
Terms Of Consent				

A2	The development may only be carried out: (a) in compliance with the conditions of this consent. (b) in accordance with all written directions of the Planning Secretary. (c) in accordance with the EIS and Response to Submissions. (d) in accordance with the Development Layout in Appendix 1; and (e) in accordance with the management and mitigation measures in Appendix 2.	At All Times	- Development Consent SSD 10459, 31 January 2021, DPE - Compliance Report completed in accordance with SSD, Independent audit also being carried out in accordance with SSD. In addition, internal audits have shown compliance. - 24 April 2020 a scoping report was prepared by Element Environment Pty Limited (Element) on behalf of VE Property Pty Ltd (VE Property) for submission to the NSW Department of Planning, Industry and Environment (DPIE) to gain Secretary's environmental assessment requirements (SEARs) for the following project: 1. subdivision and infrastructure work to create a new 35 hectare (ha) Central Sydney Industrial Estate (the Estate) on the site of the former Shell Clyde refinery; and 2. development and operation of Downer's Sustainable Road Products Complex as Stage 1 of the Estate (Stage 1). - 28 May 2020 A request for a Planning Secretary's environmental assessment requirements (SEARs) was sent to Mr Greg Hamilton, Director, VE Property Pty Ltd for the preparation of an Environmental Impact Statement (EIS) - 18 September 2020 Element Environment on behalf of VE Property Pty Ltd and Downer EDI Works Pty Ltd released the Central Sydney Industrial Estate incorporating the Sustainable Road Resource Centre State Significant Development: Environmental Impact Statement (PR122 (SSD-10459)) Rev 1, 18/09/2023 - 30 November 2020 Element Environment on behalf of Downer release for submission to DPIE *State Significant Development Response to Submission document. Version 1,* 30 November 2020. A copy of the Response to Submission document can be found at *https://www.downergroup.com/response-to-submissions* - 16 February 2021 the DPE approved of CEMP including the management and mitigation measures in Appendix 2	Compliant

			Refer to SSD10459 Stamped Plans Part1 and 2, 8 July 2020 by Costin Roe Consulting (DPE approved stamped 31 January 2021) (issued 31 January 2021). A copy of the Stamped Plans are available on https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/SSD-10459_Stamped_Plans_PART_1_and_2.pdf - The site is currently operating in accordance with the DPIE approved OEMP, which is available on the DSRRC website: (https://www.downergroup.com/downer-rosehill-sustainable-resource-centre)	
A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).	At All Times	No written directions regarding this have been received from the Planning Secretary	Not Triggered
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	At All Times	N/A	Not Triggered
Limits of Consent				
Lapsing				
A5	This consent lapses five years after the date from which it operates unless the development has physically commenced on the land to which the consent applies before that date.	N/A	- Development Consent SSD 10459, 31 January 2021, DPE - 12 February 2021 Letter; EE-DPE re: Notification of Commencement of Construction DSRRC Stage 1 commencing on 25 February 2021 - 2 May 2022 Letter; EE-DPE re: Commencement of Operation Stage – 12 May 2022	Compliant
A6	The draft section 88B instrument (Conveyancing Act 1919) submitted by the Applicant as part of the Response to Submissions does not form part of this consent.	N/A	N/A	Not Triggered

Development Limits - DSRRC				
A7	The DSRRC is not to exceed the following production or processing limits: (a) 550,000 tonnes per year of Asphalt production. (b) 250,000 tonnes per year of Reclaimed Asphalt Pavement processing. (c) 15,000 tonnes per year of Bitumen Products production; and (d) 40,000 tonnes per year of Reconomy processing.	At All Times	Evidence shows that this condition has been complied with at all times. - Downer are able to track material as Weight in via the weighbridge tracking spreadsheet (SRRC). Asphalts production is also tracked via Asphalt Volume reported monthly. - On the 11 May 2022 Letter; NSW EPA granted EPL 21611 to Downer to conduct operations on the site. Under the terms of acceptance, Downer is required to report material onsite using the departments Waste and Resource Reporting Portal (WARRP). In addition, Downer completed a stocktake and baseline survey to comply with waste levy requirements.	Compliant
Works under SSD 9302 – Western Area Remediation Project				

A8	Prior to the issue of a Subdivision Certificate for each of Stages 1B, 2 and 3, the Applicant must submit to the Planning Secretary and Certifier the following which are to demonstrate the relevant stage has been remediated in accordance with the approval of SSD 9302 and is suitable for an industrial land use: (b) a Site Audit Statement (accompanied by an Environmental Management Plan, if required by an EPA accredited Site Auditor); and (ii) an accompanying Site Audit Report prepared by an EPA accredited Site Auditor in accordance with the NSW Contaminated Land Management – Guidelines.	Prior to Construction	Developer of entire development (not just lot 6 of stage 1) 'VE Property' adhered to this condition through the following: - Site Audit Statement 055-2127799 by Andrew Kohlrusch dated 23 December 2020 issued for Stage 1 area (Part Lot 100 in DP1168951) to determine land use suitability use subject to compliance with "Clyde Western Area Remediation Project, Stage 1 Long Term Environmental Management Plan" by ERM (17 December 2020) (SAS attached in OEMP version 4 dated 25 January 2022) - 31 January 2021 the Minister for Planning and Public Spaces (under delegation) Industrial subdivision over three (3) stages (Stage 1A/1B, Stage 2 and Stage 3) and the construction and operation of a combined asphalt plant, reclaimed asphalt pavement (RAP) facility, bitumen products plant and a road waste sweeping recycling facility (Reconomy) on proposed Lot 6 - Letter dated 12 February 2021 by Element Environment on behalf of Downer notify DPIE that, Downer anticipates commencing construction of the Sustainable Road Resource Centre (DSRRC) on 25 February 2021. The DSRRC will be constructed on Lot 6 as part of Stage 1 of the Central Sydney Industrial estate (CSIE). A copy of the Stamped Plans are available on https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/SSD-10459_Stamped_Plans_PART_1_and_2.pdf	Compliant

A9	The Applicant must implement the Long-Term Environmental Management Plan (LTEMP) approved under condition B8 of SSD 9302 and provide evidence to the Planning Secretary that the LTEMP is listed on the relevant planning certificate(s) issued under section 10.7 of the EP&A Act for each lot created by Stages 1A and B, 2 and 3 as shown in the 'Subdivision Drawings prepared by Land Partners' in Appendix 1.	At All Times	Developer of entire development (not just lot 6 of stage 1) 'VE Property' adhered to this condition through the following: - 23 December 2020 Site Audit Statement 055-2127799 by Andrew Kohlrusch issued for Stage 1 area (Part Lot 100 in DP1168951) to determine land use suitability use subject to compliance with "Clyde Western Area Remediation Project, Stage 1 Long Term Environmental Management Plan" by ERM (17 December 2020) (SAS attached in OEMP version 4 dated 25 January 2022) - 29 February 2020, Clyde Western Area Remediation Project Stage 1 – Long Term Environmental Management Plan-Final (Environmental Resources Management Australia Pty Ltd – Updated based on DPIE Review, 29th January 2021), outline required environmental management procedures and controls for intrusive works within the 'Stage 1' portion of the Clyde Western Area Remediation Project (WARP), - Refer to SSD10459 Stamped Plans Part1 and 2 (issued 31 January 2021) A copy of the Stamped Plans are available on https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/SSD-10459_Stamped_Plans_PART_1_and_2.pdf	Compliant
A10	Nothing in this consent limits, restricts or removes the conditions of consent for SSD 9302.	At All Times	Not relevant	Not Triggered
Notification of Commencement				

A11	The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one week before that date, or as otherwise agreed with the Planning Secretary: (a) construction. (b) operation; and (c) cessation of operations.	At all Stages	- A Letter dated 12 February 2021 was sent by Element Environment on behalf of Downer to DPIE notifying commencement of construction in accordance with condition A11 and A12 of development consent SSD10459 in order to comply with this condition. The letter outlined Downer were anticipate commencing construction of the Sustainable Road Resource Centre (DSRRC) on 25 February 2021. A copy of the SSD10459 is located at; https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/SSD_10459_Development_consent_SIGNED_210131.pdf - Additional letters were also sent to DPIE notifying of commencement of operations. This was done in 2 parts; 1. Letter was sent on 2 May 2022 Regarding Commencement of Operation notification, which commenced on 12 May 2022 2. letter sent on 26 July 2022 notifying of the RAP facility onsite commencing operations. - Cessation of operations not yet triggered.	Compliant

A12	If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing, at least one week before the commencement of each stage (or other timeframe agreed with the Planning Secretary), of the date of commencement and the development to be carried out in that stage.	Prior to Construction	- A Letter dated 12 February 2021 was sent by Element Environment on behalf of Downer to DPIE notifying commencement of construction in accordance with condition A11 and A12 of development consent SSD10459 in order to comply with this condition. The letter outlined Downer were anticipate commencing construction of the Sustainable Road Resource Centre (DSRRC) on 25 February 2021. A copy of the SSD10459 is located at; https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/SSD_10459_Development_consent_SIGNED_210131.pdf - Additional letters were also sent to DPIE notifying of commencement of operations. This was done in 2 parts; 1. Letter was sent on 2 May 2022 Regarding Commencement of Operation notification, which commenced on 12 May 2022 2. letter sent on 26 July 2022 notifying of the RAP facility onsite commencing operations.	Compliant
Evidence of Consultation				

A13	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and (b) provide details of the consultation undertaken including: 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.	At All Times	Consultation was conducted with various parties at various stages throughout the development. This included: - Prior to commencing the development, on the 28 May 2020, a request for a Planning Secretary's environmental assessment requirements (SEARs) was sent to Mr Greg Hamilton, Director, VE Property Pty Ltd for the preparation of an Environmental Impact Statement (EIS). These requirements were addressed within the EIS. - The DPIE released the State Significant Development Assessment SSD-10459 (January 2021) The proposal also includes construction and operation of the first stage of the subdivision for the Downer Sustainable Road Resource Centre to be operated by Downer EDI Works Pty Ltd (Downer). During the assessment of the EIS application, DPIE and other interested parties provided input into the development. This input was addressed and suitable outcomes achieved prior to SSD approval. A copy of the EIS is available on https://www.downergroup.com/environmental-impact-statements - 30 November 2020 Element Environment on behalf of Downer release for submission to DPIE State Significant Development Response to Submission document. Version 1 A copy of the Response to Submission document can be found at https://www.downergroup.com/response-to-submissions AND https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/PR122_CSIE_Consolidated_Appendix_03_03_21_web.pdf Other consultation was undertaken during the development of required management plans and permit/licencing application assessments.	Compliant
Staging, Combining and Updating Strategies, Plans or Programs				

A14	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).	Prior to Construction	The relevant plans for the development were submitted as required. This included: - DPE letter of 16/2/21 agreed with staging the DSRRC pre-construction management plans only, with other works associated with the broader CSIE to be submitted for approval at a later stage. DPE letter of 16/02/21 approved the following plans specific to DSRR construction: • Construction Environmental Management Plan (Revision 4, dated 1 February 2021) • Construction Traffic and Pedestrian Management Plan (Revision 7, dated 5 February 2021) • Erosion and Sediment Control Plan (Drawing CO13919.01-DA21 Revision F, dated 30 November 2020 and Drawing CO13919.01DA25 Revision B, dated 12 August 2020) • Construction Noise Management Plan (Revision 1, dated 1 February 2021) • Community Consultation and Complaints Handling (CEMP) • Flood Emergency Response Plan (Revision 2.0, dated 3 February 2021) and • Residual and Unexpected Contamination Management Plan (Revision 3, dated 3 February 2021) A copy of the SSD10459 is located at; https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/SSD_10459_Development_consent_SIGNED_210131.pdf	Compliant
A15	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Prior to Construction	No agreement received from the Planning secretary to update strategies, plans or programs without consultation	Not Triggered
A16	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	Prior to Construction	No updates provided or evidence of updates being approved by Planning Secretary. Not applicable	Not Triggered
Protection of Public Infrastructure				

A17	Before the commencement of construction, the Applicant must: (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection, and support of the affected infrastructure. (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths) and (c) submit a copy of the dilapidation report to the Planning Secretary and Council.	Prior to Construction	Screenshot Planning Portal, a copy of the CSIE_Stage 1_Cond A17_Delapidation report.pdf and CSIE_Stage 1_Cond A17_Delapidation photos.pdf was uploaded to the Central Sydney Industrial Estate and DSRRC – SSD-10459-PA-3 Post Approval Portal	Compliant
A18	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.	During Construction	N/A due to no damage caused to public infrastructure.	Not Triggered
Structural Adequacy				
A19	All new buildings and structures that are part of the development, must be constructed in accordance with the relevant requirements of the BCA. *Note:* *• Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.* *• Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*	During Construction	The Project structures have been constructed in accordance with the BCA. This is demonstrated by the principal certifier approving structures, as per the below: - 5 April 2022, Letter provided certifies that KL Modular Systems (Aust.) Pty. Ltd., has constructed Downer Building A, B, C, D in accordance with the Relevant Building Codes and Australian Standards. - 8 July 2019 Werringtonfire Australia Pty Ltd present the classification of external walls	Compliant
Compliance				
A20	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	At All Times	Evidence of inductions, training, toolbox talks and/or safety minutes or equivalent including attendance/sign-off are kept on file.	Compliant
Contributions to Council				
A21	Before the issue of an occupation certificate for any part of the development, a contribution under section 7.12 of the EP&A Act must be paid to Council under the City of Parramatta S94A Development Contributions Plan (Amendment No.5). The cost of development works must be calculated in accordance with clause 25J of the EP&A Regulation by a suitably qualified quantity surveyor.	Prior to Operation	Payment of Development contributions to PCC for $748,274 dated 22/3/22 have been made. Following payment, McKenzie Group issued the Occupation Certificates.	Compliant

Operation of Plant and Equipment				
A22	All plant and equipment used on site, or to monitor the performance of the development, must be: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner	At All Times	The DSRRC is a modern and highly automatised industrial site. Downer processes and systems provides for systematic maintenance of equipment. Maintenance and inspection records for all plant and equipment logs, showing compliance with condition kept on file.	Compliant
External Walls and Cladding – DSRRC Building Works				
A23	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Construction	KLMS Australia letter dated 5 April 2022 reports compliance of external walls and cladding with the BCA, and references conditions A23 and A24. In addition, the Occupation Certificate (OC) No. 201700/03 by McKenzie Group for the DSRRC dated 17/5/22 references KLMS letter dated 5/5/22.	Compliant
A24	Prior to the issue of: (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and (b) an Occupation Certificate, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.	Prior to Operation	KLMS Australia letter dated 5 April 2022 reports compliance of external walls and cladding with the BCA, and references conditions A23 and A24. McKenzie Group Consulting (NSW) Pty Ltd, who were appointed as the principal certifier provided the Occupation Certificate (OC) No. 201700/03 for the DSRRC dated 17/5/22 which references KLMS letter dated 5/5/22. In addition to the above: - 17 February 2022; Letter; Costin Roe Consulting Pty Ltd to Downer; Provided Structural Design Certification to the Building Code of Australia and Australian Standards. - 23 February 2022. Letter; Costin Roe Consulting Pty Ltd to Downer; Provided Structural Construction Certification to the Building Code of Australia and Australian Standards - 5 April 2022, Letter provided certifies that KL Modular Systems (Aust.) Pty. Ltd., has constructed Downer Asphalt Plant Rosehill in accordance with the drawings and specifications as approved by the client. - 5 April 2022, Letter provided certifies that KL Modular Systems (Aust.) Pty. Ltd., has constructed Downer Building A, B, C, D in accordance with the Relevant Building Codes and Australian Standards.	Compliant
A25	The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.	Prior to Operation	On the 17 May 2022, the Certifier accepted Occupation Certificate (OC), and the DPIE received the OC via email on the 19 May 2022, less than 7 days following the certifiers acceptance.	Compliant

Utilities and Services				
A26	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers. The Applicant is to include TfNSW in any consultation with Sydney Water regarding the proposed wastewater and potable water mains on Colquhoun Street	Prior to Construction	Relevant approvals were received prior to starting construction of any utility works associated with the development. In addition to the construction and occupation certificates, these approvals included: - Construction Certificate No. 201700/01 by McKenzie group dated 1/3/2021 to the DSRRC, with reference to plans for Energy Works prepared by Endeavour Energy - Gas Supply Licensee's Certificate of Compliances dated 23/11/21 and 15/12/2021. - Endeavour Energy Letter Ref: UIL5936 dated 16/9/2021 – Connection of Load Application 9 Devon Street, Rosehill, Drawing 521553B. - NBN letter to Downer dated 11/01/2021 23/2/2022, and NBN letter to Green Futures both re: Provisioning of Telecommunication Services – Confirmation of Payment, providing verification of NBN infrastructure. - Sydney Water Subdivider/Developer Compliance Certificate for the DSRRC dated 31/01/2021. Regarding consultation with TfNSW in regard to water infrastructure on Colquhoun St, the DSRRC does not have frontage with Colquhoun Street. The western side of the CSIE site is adjacent to Colquhoun St. Consultation with Sydney Water regarding wastewater and potable water on Colquhoun Street not applicable to the DSRRC works but to the subdivision works by VE Property. On the 18 March 2021 notification was given to the Planning Secretary prior to the commencement of construction will involve the installation of new services to the site, specifically in the form of an extension of the Endeavour Energy HV infrastructure. also refer to Drawing STG-W000184323_B_3871.pdf for NBN installation diagram. On the 16 September 2021 Letter; Endeavour Energy to CJ Doyle Contracting Services Pty Ltd; Re UIL5936 – Connection of Load Application 9 Devon Street, Rosehill Drawing 521553B Letter of Acceptance.	Compliant

A27	Before the issue of a Subdivision Works Certificate or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for: (a) the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development, demonstrated through an agreement with a carrier.	Prior to Construction	The DSRRC is provided with NBN infrastructure as referred to in the CC and NBN communications. - NBN drawing STG-W000184323 dated 4/05/21 shows NBN cables connected to the asphalt plant through an easement along the western side of the DSRRC) - 23 February 2022 Letter; nbn New Developments to Downer Re Provisioning of Telecommunication Services - Confirmation of final payment. Regarding the CC and OC: - Construction Certificate No. 201700/01 by McKenzie group dated 1/3/2021 to the DSRRC, with reference to NBN letter dated 11/01/2021 with verification of NBN infrastructure. - 17 May 2022 Mckenzie Group issued Occupation Certificate No. 201700/03 which included a Confirmation of Final Payment for Telecommunication Services prepared by NBN Australia dated 23 February 2022	Compliant
A28	Before the issue of the Occupation Certificate for the DSRRC building works or Subdivision Certificate, the Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.	Prior to Operation	- 23 February 2022 Letter; nbn New Developments to Downer Re Provisioning of Telecommunication Services - Confirmation of final payment. - 17 May 2022 Mckenzie Group issued Occupation Certificate No. 201700/03 which included a Confirmation of Final Payment for Telecommunication Services prepared by NBN Australia dated 23 February 2022 - 22 August 2021 (DocuSign Envelope) Sydney Water Subdivider/Developer Compliance Certificate - 16 September 2021 Letter; Endeavour Energy to CJ Doyle Contracting Services Pty Ltd; Re UIL5936 – Connection of Load Application 9 Devon Street, Rosehill Drawing 521553B Letter of Acceptance	Compliant
Subdivision				
All Stages				

A29	The Applicant must subdivide the site in accordance with the subdivision plans listed in Appendix 1	Prior to Construction	Land subdivision is undertaken by the Applicant VE Property Pty Ltd. Downer's responsibilities under the consent relate to the construction and operation of the DSRRC in one of the lots created (i.e.. Lot 6 DP1271928) However, in compliance to this condition: - 31 January 2021 the Executive Director – Energy, Industry and Compliance, as delegate of the Minister for Planning and Public Spaces, approved development application SSD-10459 for the Central Sydney Industrial Estate and Downer Sustainable Road Resource Centre in accordance with Part 4 of the Environmental Planning and Assessment Act 1979 (the Act). - 16 February 2021 DPE acknowledged that the Applicant is firstly seeking approval of the various pre-construction plans for the DSRRC only. Pre-construction management plans for the works associated with the broader CSIE will be submitted for the Planning Secretary's approval later with further subdivision works conducted under SSD 9302 - Viva Energy Clyde Western Area Remediation Project	Not Triggered

A30	Prior to the issue of a Subdivision Certificate for each of Stages 1A and 1B, 2 and 3, the Applicant must: (a) provide the Certifier evidence that all matters required to be registered on title, including easements, have been prepared and are included on the plan of subdivision for registration at Land Registry Services. (b) obtain a Compliance Certificate for water and sewerage infrastructure servicing of the relevant stage under section 73 of the Sydney Water Act 1994; and (c) demonstrate to the satisfaction of the Certifier that satisfactory service arrangements for electricity for the relevant stage have been established.	Prior to Construction	Land subdivision is undertaken by the Applicant VE Property Pty Ltd. Downer's responsibilities under the consent relate to the construction and operation of the DSRRC in one of the lots created (i.e.. Lot 6 DP1271928) However, in compliance to this condition: - 31 January 2021 the Minister for Planning and Public Spaces (under delegation) Industrial subdivision over three (3) stages (Stage 1A/1B, Stage 2 and Stage 3) and the construction and operation of a combined asphalt plant, reclaimed asphalt pavement (RAP) facility, bitumen products plant and a road waste sweeping recycling facility (Reconomy) on proposed Lot 6 - 16 February 2021 the DPE acknowledged that the Applicant is firstly seeking approval of the various pre-construction plans for the DSRRC only. Accordingly, the Planning Secretary agrees to the proposed staging. - 12 February 2021 Element Environment on behalf of Downer release for submission to DPIE that the DSRRC will be constructed on Lot 6 as part of Stage 1 of the Central Sydney Industrial Estate (CSIE). - Refer to SSD10459 Stamped Plans Part1 and 2 (issued 31 January 2021). A copy of the Stamped Plans are available at https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/SSD-10459_Stamped_Plans_PART_1_and_2.pdf - 22 August 2022, Sydney Water Corporation certifies that the above-named applicant has complied with the requirements, relating to the plan Subdivision/Development described above, of Division 9 of the Sydney Water Act, 1994	Not Triggered
Stages 2 and 3				

A31	Prior to the issue of a Subdivision Certificate for each of Stages 2 and 3, detailed work-as-executed drawings prepared and signed by a Registered Surveyor, which show the finished surface levels of the access road (for stage 3), drainage and any areas of fill, carried out under this consent for the relevant stage, must be submitted to the Certifier and Council.	Prior to Construction	Land subdivision is undertaken by the Applicant VE Property Pty Ltd. However, in compliance to this condition: - 1 January 2021 Minister for Planning and Public Spaces (under delegation) Industrial subdivision over three (3) stages (Stage 1A/1B, Stage 2 and Stage 3) and the construction and operation of a combined asphalt plant, reclaimed asphalt pavement (RAP) facility, bitumen products plant and a road waste sweeping recycling facility (Reconomy) on proposed Lot 6 - 16 February 2021 DPE acknowledged that the Applicant is firstly seeking approval of the various pre-construction plans for the DSRRC only. Pre-construction management plans for the works associated with the broader CSIE will be submitted for the Planning Secretary's approval later with further subdivision works conducted under SSD 9302 - Viva Energy Clyde Western Area Remediation Project	Not Triggered
A32	Prior to the issue of a Subdivision Certificate for each of Stages 2 and 3, detailed work-as-executed drawings prepared and signed by a Registered Surveyor, which show the finished surface levels of the access road (for stage 3), drainage and any areas of fill, carried out under this consent for the relevant stage, must be submitted to the Certifier and Council.	Prior to Construction	Land subdivision is undertaken by the Applicant VE Property Pty Ltd. However, in compliance to this condition: - 31 January 2021 Minister for Planning and Public Spaces (under delegation) Industrial subdivision over three (3) stages (Stage 1A/1B, Stage 2 and Stage 3) and the construction and operation of a combined asphalt plant, reclaimed asphalt pavement (RAP) facility, bitumen products plant and a road waste sweeping recycling facility (Reconomy) on proposed Lot 6 - 16 February 2021 DPE acknowledged that the Applicant is firstly seeking approval of the various pre-construction plans for the DSRRC only. Pre-construction management plans for the works associated with the broader CSIE will be submitted for the Planning Secretary's approval at a later date with further subdivision works conducted under SSD 9302 - Viva Energy Clyde Western Area Remediation Project	Not Triggered
Work as Executed Plans – DSRRC Building Works				

A33	Before the issue of an Occupation Certificate for the DSRRC, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished surface levels have been constructed as approved, must be submitted to the Principal Certifier.	Prior to Operation	The Occupation certificate issues 17 May 2022 by Mckenzie Group included an inspection Report for Stormwater prepared by Mckenzie Group consulting dated 7 October 2021, and also correspondence regarding stormwater connection inspection (by Mckenzie Group dated 6 October 2021) Costin Roe Consulting Pty Ltd Stormwater As Built and Final Surface Level Confirmation drawings also demonstrate compliance. Additional supporting evidence of compliance includes: - 19 April 2022. J & J Pipe Testing CCTV REPORT: Test in Accordance with WSA 05-2008 - SSD10459 Stamped Plans Part1 and 2 (issued 31 January 2021). A copy of the Stamped Plans are available on; https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/SSD-10459_Stamped_Plans_PART_1_and_2.pdf	Compliant
Applicability of Guidelines				
A34	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	At All Times	17 May 2022 Mckenzie Group issued Occupation Certificate No. 201700/03 acknowledges that all relevant guidelines, protocols Australian Standards or policies are compiled to as at the date of this consent.	Compliant
A35	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	At All Times	The Planning Secretary has not issued any directions relating to this condition.	Not Triggered
Advisory Notes				

AN1	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents	At All Times	All required licences, permits, approvals and consents have been obtained and adhered to as required by this condition. These include: - 11 May 2022 EPA approved the application and issued Environment Protection Licence Number 21611, - 31 January 2021 Executive Director Energy, Industry and Compliance issued to VE Property Pty Ltd the SSD consent, (File: EF20/21442) - 25 May 2022; EPA approved 'The Downer recovered aggregate and sand order May 2022' and 'The Downer recovered aggregate and sand order and exemption May 2022'. - 14 June 2022 Sydney Water granted the site trade waste Conditional Consent Approval no: 52011. - EPA granted the site Radiation Management Licence (No. 5061392).	Compliant
PART B – SPECIFIC ENVIRONMENTAL CONDITIONS				
Contamination				
Unexpected Finds				
B1	Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the CEMP in accordance with condition C2 and must ensure any material identified as contaminated is disposed off-site, or otherwise treated to the satisfaction of the EPA Accredited Site Auditor, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.	Prior to Construction	- A Residual and Unexpected Contamination Management Plan was prepared which form part of the CEMP (Rev 4, 1 February 2021, Downer) and addressed the requirement in this condition. Annex B Residual and Unexpected Contamination Management Plan Rev 2 3 February 2021, Downer - 16 February 2021 DPE acknowledged that Staged Submission of Pre-Construction Management Plans the CEMP for the DSRCC was submitted for approval in accordance with Conditions C2 and C3 of Schedule 2 of the consent and includes the following sub-plans Unexpected Contamination Procedure (Condition B1). A copy of the CEMP is provided https://www.downergroup.com/management-plans	Compliant

B2	The Applicant must ensure the development does not result in a change of risk in relation to any pre-existing contamination on the site so as to result in significant contamination. *Note: Significant contamination is defined under section 11 of the CLM Act.*	At all Times	There is no indication the development has resulted in a change of risk in relation to any pre-existing contamination. The site was remediated (as indicated in SAS 0552127799) and made suitable for commercial/industrial use. Additional supporting evidence includes: - 29 February 2020, Clyde Western Area Remediation Project Stage 1 – Long Term Environmental Management Plan-Final (Environmental Resources Management Australia Pty Ltd – Updated based on DPIE Review, 29th January 2021), - 29 July 2020, Contamination assessments carried out prior to commencing development and provided to DPIE and approved by DPIE.	Compliant
Air quality				
Dust Minimisation				
B3	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	At all Times	Requirement of this condition was integrated in the CEMP under Section 7.2 Risk Assessment, and OEMP under Section 7.4.4 Air Quality management measures. A copy of the CEMP (Rev 4) is provided https://www.downergroup.com/management-plans Additional measures as follows: • Regular inspections completed onsite to ensure compliance to management measures. • Sweeper contracted to control dust on hardstand areas Invoice available upon request available. • Water cart used by site to help control dust.	Compliant
B4	B4. During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method. (b) all trucks entering or leaving the site with loads have their loads covered. (c) trucks associated with the development do not track dirt onto the public road network. (d) public roads used by these trucks are kept clean. (e) and land stabilisation works are carried out progressively on site to minimise exposed surfaces.	During Construction	Condition was complied with during construction. This is supported by: - Zero entries in Complaints register, incidents register during construction phase. - Evidence of progressive stabilisation during construction, e.g., progressive erosion and sediment control plans. - Dust Management measures were outlined within the approved Construction Environmental Management Plan (CEMP) Rev 5, 5/02/2021, Downer – Section 7.2 Risk Assessment.	Compliant

Air Quality Discharges - DSRRC				
B5	The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the DSRRC site.	At all times	Maintenance and inspection records for all plant and equipment kept on file. In addition, Todoroski Air Sciences (21/11/2022) undertook air quality sampling during operation and reported compliance with air quality criteria and implementation of OEMPs air quality mitigation measures. There are also no non-compliances with the EPL reported in the EPA's website for EPL 21611.	Compliant
B6	Driveways and hardstand areas must be swept/cleaned as required by a street sweeper during operations. The street sweeper must be utilised to maintain the sealed surfaces in such a manner that prevents or minimises air pollution.	During Operations	- Monthly Environmental Checklist site inspections records from INX are kept on file. - Invoices can be provided for regular use of street sweeper attending site are kept on file. - Permanent street sweeper also available onsite to ensure compliance.	Compliant
B7	Where possible, all mobile non-road diesel equipment operated at the DSRRC site must achieve a particulate matter emission performance commensurate with US EPA Tier 4 particulate emission standards.	During Operations	Within the Todoroski Air Sciences (21/11/2022) report titled *Air Quality Verification Report Downer Sustainable Road Resource Centre*, the following was noted: "*it was advised that all new equipment purchased meets US EPA Tier 4 particulate emission standards' and that "As all new equipment purchased meets US EPA Tier 4 particulate emission standards, this is considered suitable*". To support compliance with this condition: - Equipment specifications kept on file. - Maintenance records for all plant are kept on file	Compliant
Air Quality Management Plan - DSRRC				

B8	Prior to the commencement of operation of the DSRRC, the Applicant must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP must form part of the OEMP required by condition C5. The AQMP must: (a) be prepared by a suitably qualified and experienced person(s). (b) be prepared in consultation with the EPA. (c) detail and rank all emissions from all sources of the development, including particulate emissions. (d) describe a program that is capable of evaluating the performance of the operation and determining compliance with key performance indicators, including the prescribed concentrations contained in the Protection of the Environment Operations (Clean Air) Regulation 2010. (e) identify the control measures that will be implemented for each emission source; and (f) nominate the following for each of the proposed controls: i. key performance indicator. ii. monitoring method. iii. location, frequency, and duration of monitoring. iv. record keeping. v. complaints register. vi. response procedures; and vii. compliance monitoring.	Construction	On the 4 February 2022, the DPE approved the Operational Environmental Management Plan (OEMP (Revision 4, dated 25 January 2022)), which included the Air Quality Management Plan, provided in Section 7.4 of OEMP A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant
B9	The Applicant must: (a) not commence operation until the AQMP required by condition B8 is approved by the Planning Secretary; and (b) implement the most recent version of the AQMP approved by the Planning Secretary for the duration of the development.	Construction	On the 4 February 2022, the DPE approved the Operational Environmental Management Plan (OEMP (Revision 4, dated 25 January 2022)), which included the Air Quality Management Plan, provided in Section 7.4 of OEMP A copy of the OEMP is provided https://www.downergroup.com/management-plans In addition, Downer conducts: - training personnel on air quality - annual compliance checklists of management practices - regular inspections to ensure no dust is visible beyond boundary - Periodic stack testing - daily checks of weather forecast - visual dust monitoring Copies of these records are kept on file.	Compliant
Air Quality Verification - DSRRC				

B10	An Air Quality Verification Report (AQVR) must be submitted to the EPA and Planning Secretary within three (3) months of the commencement of operation of the DSRRC. The AQVR must: (a) be undertaken in accordance with the Approved Methods for Modelling and Assessment of Air Pollutants in NSW. (b) demonstrate that all reasonable and feasible mitigation measures have been incorporated into the development. (c) reference manufacturer's specifications and/or performance guarantees for the asphalt plant. (d) demonstrate compliance with the prescribed concentrations contained in the Protection of the Environment Operations (Clean Air) Regulation 2010. (e) outline management actions to be taken to address circumstances where the concentrations specified in part d) have been exceeded; and (f) describe the contingency measures and the timing of their implementation in the event the management actions are not effective in reducing the air emissions to an acceptable level.	Operational	Timeline relevant to this condition is as follows: - 12 May 2022 Asphalt plant commenced operation along with the Reconomy Facility - 26 July 2022 RAP facility commenced. - 28 July 2022 Downer provides a justification letter for the submission of the AQVR after all site plant commence operations (noting in the letter that the RAP facility commenced operations on 26/7/22 and therefore submission of the AQVR was to occur by the (26/10/22). There is no response to this letter from the EPA. - 12 November 2022 the AQVR Report was submitted to DPIE. On 15 September 2022 Correspondence from EPA (from Mark Jansons) states EPA did not raise objection to report being submitted on or before 26 October 2022. While an AQVR has been submitted in accordance with this condition, this was done outside of the timeframe specified within the condition. Given that this non-compliance has already been addressed, no action is required to be raised to rectify this non-compliance.	Non-Compliant
Odour Management				
B11	The Applicant must ensure the development does not cause or permit the emission of any offensive odour beyond the boundary of the site (as defined in the POEO Act).	Operational	The Todoroski Air Sciences (21/11/2022) report titled *Air Quality Verification Report Downer Sustainable Road Resource Centre* outlines Downer's compliance to this condition. Additional evidence of compliance includes: - Monthly Environmental Checklist site inspections records from INX kept on file. - Zero odour complaints recorded have been recorded relating to the development. A copy of the Complaints Register is available at https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/Downer_Sustainable_Road_Resource_Centre_Complaints_Register_210217.pdf	Compliant
Noise				
Hours of Work				

<table>
<tr><td>B12</td><td>The Applicant must comply with the hours detailed in Table 1 (refer Table 7.2).
Table 1 Hours of Work<table><tr><th>Activity</th><th>Day</th><th>Time</th></tr><tr><td>Earthworks and construction</td><td>Monday – Friday
Saturday</td><td>7 am to 6 pm
8 am to 1 pm</td></tr><tr><td>Operation</td><td>Monday – Sunday</td><td>24 hours</td></tr></table></td><td>Operational</td><td>- Operational phase allows for 24/7 operation and is therefore compliant (24/7).
- Construction Environmental Management Plan (CEMP) Rev 5, 5/02/2021, Downer – Annex C, Section 6.2.3 addressed the requirement of this condition specifically which pertains to the Hours of Construction.</td><td>Compliant</td></tr>
<tr><td>B13</td><td>Earthworks and construction work outside of the hours identified in condition B12 may be undertaken in the following circumstances:
(a) works do not exceed the noise limits detailed in Table 8 of the Noise and Vibration Impact Assessment, prepared by Muller Acoustic Consulting, dated 17 September 2020; or
(b) works agreed to in writing by the Planning Secretary; or
I for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
(d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.</td><td>Construction</td><td>All works were conducted during stated hours outlined in B12 condition</td><td>Not Triggered</td></tr>
<tr><td colspan="5">Construction Noise Management Plan</td></tr>
<tr><td>B14</td><td>The Applicant must prepare a Construction Noise Management Plan (CNMP) for the development to the satisfaction of the Planning Secretary. The Plan must form part of the CEMP required under condition C2 and must:
(a) be prepared by a suitably qualified and experienced acoustic expert.
(b) describe procedures for achieving the noise management levels in EPA’s Interim Construction NoisI(c) Guideline (DECC, 2009) (as may be updated or replaced from time to time);
(d) describe the measures to be implemented to manage high noise generating works such as piling; and
(e) include a complaints management system that would be implemented for the duration of the development.</td><td>Construction</td><td>The Construction Noise Management Plan was approved by DPIE on the 16 February 2021. This plan includes items to address each a-e requirement of the condition:
a) Section 1.2.1
b) Section 5 and 6
c) Noted
d) Table 5.1
e) Section 6.5 of CNMP and Section 1.4 of CEMP

A copy of the CEMP is provided https://www.downergroup.com/management-plans

A copy of the Complaints Register is available at https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/Downer_Sustainable_Road_Resource_Centre_Complaints_Register_210217.pdf</td><td>Compliant</td></tr>
</table>

<table>
<tr><td>B15</td><td>The Applicant must:
(a) not commence construction of any relevant stage until the CNMP required by condition B14 is approved by the Planning Secretary; and
(b) implement the most recent version of the CNMP approved by the Planning Secretary for the duration of construction.</td><td>Construction</td><td>The Construction Noise Management Plan was approved by DPIE on the 16 February 2021.

25 February 2021 construction commenced.

A copy of the CEMP is provided https://www.downergroup.com/management-plans</td><td>Compliant</td></tr>
<tr><td colspan="5">Operational Noise Li–its - DSRRC</td></tr>
<tr><td>B16</td><td>The Applicant must ensure that noise generated by the operation of the DSRRC does not exceed the noise limits in Table 2 (refer Table 7.23).
Table 2 Noise Limits (dB(A))<table><tr><th>Location</th><th>Day $L_{Aeq(15\ minute)}$</th><th>Evening $L_{Aeq(15\ minute)}$</th><th>Night $L_{Aeq(15\ minute)}$</th><th>Night L_{AMax}</th></tr><tr><td>R1A – 72 River Road, Ermington</td><td>30</td><td>30</td><td>33</td><td>52</td></tr><tr><td>R1B – 530 John Street, Rydalmere</td><td>31</td><td>31</td><td>34</td><td>52</td></tr><tr><td>R2A – 86 Carnarvon Street, Silverwater</td><td>34</td><td>34</td><td>37</td><td>53</td></tr><tr><td>R2B – 101 Beaconsfield Street, Silverwater</td><td>36</td><td>35</td><td>38</td><td>53</td></tr><tr><td>R3A – 71 Penelope Lucas Lane, Rosehill</td><td>30</td><td>30</td><td>30</td><td>55</td></tr><tr><td>R3B – 88 James Ruse Drive, Rosehill</td><td>30</td><td>32</td><td>30</td><td>55</td></tr><tr><td>FR01 – 181 James Ruse Drive</td><td>30</td><td>30</td><td>30</td><td>55</td></tr></table>Note Noise generated by the development is to be measured and assessed in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (as may be updated or replaced from time to time).</td><td>Operational</td><td>28 July 2022 EPA clarified that the date at which all operations at the premises commenced is 26 July 20
- 22.
- The Noise Verification Report submitted 28 October 2022, (MAC NVR dated 31 August 2022) provides a noise monitoring validation result indicating operational activities have been predicted to satisfy the relevant criteria at all assessed receivers</td><td>Compliant</td></tr>
<tr><td colspan="5">Noise Verification Re–ort - DSRRC</td></tr>
</table>

B17	A Noise Verification Report (NVR) must be submitted to the EPA and the Planning Secretary within three months of the commencement of operation of the DSRRC. The NVR must be prepared by a suitably qualified and experienced acoustic consultant and include: (a) an analysis of compliance with noise limits specified in condition B16, undertaken to the satisfaction of the Planning Secretary and in accordance with the Noise Policy for Industry (EPA, 2017). (b) demonstrate that all reasonable and feasible mitigation measures have been incorporated into the development. (c) reference manufacturer's specifications and/or performance guarantees for the asphalt plant. (d) an outline of management actions to be taken to where the limits specified in condition B16 have been exceed and (e) describe the contingency measures and the timing of their implementation in the event the management actions are not effective in reducing the noise impacts to an acceptable level.	Operational	Noise Verification Report (NVR) was prepared by Mac Muller Acoustic Consulting and submitted to the EPA and DPE, noting that the NVR was prepared without the Bitumen Products Facility (BPF) which is yet to be constructed and operated. NVR was submitted to the DPE on 27/10/2022 which is not within 3 months of the commencement of operation of the Asphalt Plant. However, DPE in email dated 13/01/2023, prepared in response to Element letter to DPE dated 21/12/2022, required Downer to re-submit the NVR within 3 months of the commencement of operation of all project components including the Bitumen Products Facility. While an NVR has been submitted in accordance with this condition, this was done outside of the timeframe specified within the condition. Given that the BPF has not been constructed, no action is required to be raised to rectify this until 3 after such time as BPF is commissioned.	Not Triggered
Road Traffic Noise				
B18	The Applicant must prepare a Driver Code of Conduct and induction training for the development to minimise road traffic noise. The Code is to be incorporated into the CEMP required under condition C2 and the OEMP required under condition C5.	Operational	- The Driver Code of Conduct was incorporated in the CEMP under Annex F CTPMP. - The Driver Code of Conduct was incorporated in the OEMP under Annex D. A copy of the CEMP and OEMP is provided https://www.downergroup.com/management-plans	Compliant
Soils, water quality and hydrology				
Imported Soil				
B19	The Applicant must: (a) ensure that only VENM, ENM, or other material approved in writing by the EPA, or the Site Auditor is brought onto the site during construction. (b) keep accurate records of the volume and type of fill to be Id; and (c) make these records available to the Planning Secretary upon request	Construction	- No VENM, ENM or other unapproved material was brought onto the Downer controlled site during construction. This was communicated to and managed by civil contractor 'Robson's' during construction. - Outlined within Approved CEMP, and "*Clyde Western Area Remediation Project Stage 1 – Long Term Environmental Management Plan*" 29/01/2021. - Site Audit Statement (SAS) 055-2127799 by Andrew Kohlrusch dated 23/12/2020 issued for Stage 1 area	Compliant

			(Part Lot 100 in DP1168951) certified that the site is suitable for commercial/industrial use subject to compliance with "Clyde Western Area Remediation Project, Stage 1 Long Term Environmental Management Plan" by ERM (17/12/2020). Site Auditor required to verify imported materials as part of audit.	
Erosion and Sediment Control				
B20	Prior to the commencement of any construction or other surface disturbance the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the Managing Urban Stormwater: Soils and–Construction - Volume 1: Blue Book (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.	Construction	This was complied with during the construction period, with management measures implemented outlined within the Construction Environmental Management Plan (CEMP) Rev 5, 5 February 2021, Downer – Section 7.2 and Annex H CEMP – Construction Erosion and Sediment Control Plan. A copy of the CEMP is provided https://www.downergroup.com/management-plans	Compliant
Discharge Limits				
B21	The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.	At All Times	The requirement under this condition were incorporated into the CEMP, and now into the Operational Environmental Management Plan (OEMP) Rev 5, 14 February 2023, Downer – Section 7.7.3, Table 7.21. In addition: - Water Sampling has been conducted onsite to ensure compliance. - Monthly Environmental Site Inspections have been completed. - As a Requirement of the EPL, site personnel have to be inducted to the Site's Pollution Response Management Plan. A copy of the PIRMP is available on the DSRRC Website https://www.downergroup.com/Content/cms/Documents/Pollution_Incident_Management_Plans/Pollution_Incident_Response_Management_Plan_-_Rosehill_-_Apr_2023.pdf	Compliant
Stormwater Management System - DSRRC				
B22	Prior to the commencement of operation of the DSRRC, the Applicant must design, install and operate a stormwater management system for the development. The system must: (a) be designed by a suitably qualified and experienced person(s);	Construction	- Costin Roe Consulting's Civil Design Certification dated 22/2/2022 certified that the civil engineering design has been completed in accordance with SSD10459 including Condition B22 and B36 and the City of Parramatta Council Development Engineering Standards.	Compliant

	(b) be generally in accordance with the conceptual design in the EIS and Response to Submissions. (c) be in accordance with applicable Australian Standards. (d) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines. (e) and divert clean surface water around operational areas of the site.		- The Occupation Certificate No. 201700/03 certifies the construction of the DSRRC with reference to SSC-10459 - As-Built Drawings 3006 & 3007, Robson Civil Projects provide details of built stormwater. - The requirement under this condition is also incorporated in the Operational Environmental Management Plan (OEMP) Rev 5, 14 February 2023, Downer – Section 7.7.3, Table 7.21	
Flood Management				
B23	Prior to the commencement of construction, the Applicant must prepare a Flood Emergency Response Plan (FERP). The FERP must form part of the CEMP and OEMP required by conditions C2 and C5 and must: (a) be prepared by a suitably qualified and experienced person(s); (b) address the provisions of the Floodplain Development Manual (2005) and any relevant guidelines. (c) be prepared in consultation with the State Emergency Service. (d) include details of: i. the flood emergency responses for both construction and operation phases of the development. ii. predicted flood levels. iii. flood warning time and flood notification. iv. assembly points and evacuation routes. v. evacuation and refuge protocols; and vi. awareness training for employees and contractors.	Construction	A Flood Emergency Response Plan Rev 2 dated 3/02/2021 (FERP) was prepared and incorporated in the CEMP which was approved by DPE in correspondence dated 16/02/2021. A copy of the FERP is provided https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/PR122_Stage_1_CEMP-Annex_F_LMP_Final_210202.pdf In addition, on 5 April 2022 Modular Systems (Aust.) Pty. Ltd DPE regarding commencement of operations and that Conditions A23 and A24 were in accordance with the drawings and specification	Compliant
B24	The Applicant must: (a) not commence construction until the FERP required by condition B23 is submitted to the Planning Secretary for information purposes; and (b) implement the most recent version of the FERP for the duration of the development	Construction	In compliance with this, a Flood Emergency Response Plan Rev 2 dated 3/02/2021 (FERP) was prepared and incorporated in the CEMP which was approved by DPE in correspondence dated 16/02/2021. On the 25 February 2021 construction commenced. Measures of this plan have been incorporated into the development as can be seen in site documentation.	Compliant
B25	All habitable building floor levels must be no lower than the 1% Annual Exceedance Probability flood plus 500 mm of freeboard.	Construction	A Flood Emergency Response Plan Rev 2 dated 3/02/2021 (FERP) has been developed for the development. This document indicates the 1% AEP is 3.93m AHD meaning the required Building Floor Level would be 4.43m AHD.	Compliant

			Copies of the Costin Roe Consulting Pty Final Surface Level Confirmation drawings on file show ground levels. Visual site inspections also show buildings built at required height above documented ground level. Additional evidence on file: - 17 February 2022; Letter; Costin Roe Consulting Pty Ltd to Downer; Provided Structural Design Certification to the Building Code of Australia and Australian Standards. - 23 February 2022. Letter; Costin Roe Consulting Pty Ltd to Downer; Provided Structural Construction Certification to the Building Code of Australia and Australian Standards - 17 May 2027 Mckenzie Group issued Occupation Certificate No. 201700/03	
B26	All structures that are built below the 1% Annual Exceedance Probability flood must be constructed from flood compatible building components to ensure structural stability during a flood event.	Construction	A Flood Emergency Response Plan Rev 2 dated 3/02/2021 (FERP) has been developed for the development. This document indicates the 1% AEP is 3.93m AHD meaning the required Building Floor Level would be 4.43m AHD. Copies of the Costin Roe Consulting Pty Final Surface Level Confirmation drawings on file show ground levels. Visual site inspections also show buildings built at required height above documented ground level. Additional evidence on file: - 17 February 2022; Letter; Costin Roe Consulting Pty Ltd to Downer; Provided Structural Design Certification to the Building Code of Australia and Australian Standards. - 23 February 2022. Letter; Costin Roe Consulting Pty Ltd to Downer; Provided Structural Construction Certification to the Building Code of Australia and Australian Standards - 17 May 2022 Mckenzie Group issued Occupation Certificate No. 201700/03	Compliant
Surface Water Management Plan - DSRRC				
B27	Plan (SWMP) to the satisfaction of the Planning Secretary. The SWMP must form part of the OEMP required by condition C5. The SWMP must: (a) be prepared by a suitably qualified and experienced person(s);	Construction	The Operational Environmental Management Plan (OEMP) Rev 5, 14/02/2023, Section 7.7; outlines the Surface Water Management Plan (SWMP) for the site, which has been prepared in compliance to condition.	Compliant

	(b) be prepared in consultation with the EPA. (c) characterise the expected quality of discharges in terms of the typical and maximum concentrations of all pollutants likely to be present at non-trivial levels. (d) contain a program to monitor surface water quality. (e) include surface water impact assessment criteria, including trigger levels for investigating any potential adverse surface water impacts. (f) include a protocol for investigation and mitigation where surface water impact assessment criteria is exceeded; and (g) contain an ongoing maintenance program to ensure the entire surface water management infrastructure continues to operate and perform as designed.		The SWMP includes: a. Section 7.7.1 b. Section 2.2 c. Section 7.7.2 d. Section 7.7.5 e. Section 7.7.2 and 7.7.5 f. Section 7.7.5 g. Section 7.7.4 DPE approval of OEMP Rev 4 and Surface Water Management Plan in correspondence dated 4/02/2022, prior to commencement of operation. A copy of the OEMP is provided https://www.downergroup.com/management-plans	
B28	The Applicant must: (a) not commence operation until the SWMP required by condition B27 is approved by the Planning Secretary; and (b) implement the most recent version of the SWMP approved by the Planning Secretary for the duration of the development.	Construction	DPE approval of OEMP Rev 4 and Surface Water Management Plan in correspondence dated 4/02/2022, prior to commencement of operation on 12/05/22. A copy of the OEMP is provided https://www.downergroup.com/management-plans Requirements of this plan have been implemented onsite.	Compliant
Surface Water Verification Report - DSRRC				
B29	A Surface Water Verification Report (SWVR) must be submitted to the Planning Secretary and the EPA within eighteen (18) months (or as otherwise agreed by the Planning Secretary) of the commencement of all operations associated with the DSRRC. The SWVR must: (a) include an analysis of compliance with the maximum concentrations identified under condition B27(c) undertaken to the satisfaction of the Planning Secretary. (b) demonstrate that all reasonable and feasible mitigation measures have been incorporated into the development. (c) reference manufacturer's specifications and/or performance guarantees. (d) an outline of management actions to be taken to address any exceedances of the maximum concentrations identified under condition B27; and (e) describe the contingency measures and the timing of their implementation in the event the management	Operational	A Surface Water Verification Report (SWVR) dated the 30 January 2024 prepared by Costin Roe Consulting Pty Ltd, was submitted to the Planning Secretary via the Planning Portal and via email to EPA. The SWVR was due no later than 12 November 2023 (operations commenced 12 May 2022).	Compliant

	actions are not effective in reducing water quality impacts to an acceptable level.			
TRAFFIC AND ACCESS				
Construction Traffic and Pedestrian Management Plan				
B30	Prior to the commencement of construction, the Applicant must prepare a Construction Traffic and Pedestrian Management Plan (CTPMP) for the development to the satisfaction of the Planning Secretary. The CTPMP must form part of the CEMP required by condition C2 and must: (a) be prepared by a suitably qualified and experienced person(s), (b) be prepared in consultation with TfNSW. (c) detail the measures that are to be implemented to ensure road safety, network efficiency and pedestrian movements during construction. (d) detail heavy vehicle routes, access and parking arrangements. (e) include a Driver Code of Conduct to: i. minimises the impacts of earthworks and construction on the local and regional road network; ii. minimise conflicts with other road users. iii. minimise road traffic noise; and iv. ensure truck drivers use specified routes. (f) include a program to monitor the effectiveness of these measures; and (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.	Construction	The CTPMP was prepared and approved by the Department on 16/02/2021 prior to the commencement of construction. The CTMP Includes: a. Section 1 b. Section 3.3 c. Section 7, Appendix A and B d. Section 5.3, 7.4, 7.5 and Annex B e. Appendix B f. Section 8 g. Section 7.10 As evidenced by letter sent on 15 December 2020 ; Feedback was requested from Transport for NSW (TfNSW). This was incorporated into the Response to Submissions completed. Construction Environmental Management Plan (CEMP) Rev 5, 5 February 2021, Downer – Annex E a copy of the CTPMP is provided. https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/PR122_Stage_1_CEMP-Annex_E_CTPMP_Final_210205.pdf	Compliant
B31	The Applicant must: (a) not commence construction until the CTPMP required by condition B30 is approved by the Planning Secretary; and (b) implement the most recent version of the CTPMP approved by the Planning Secretary for the duration of construction.	Construction	As per the above condition, The CTPMP was prepared and approved by the Department on 16/02/2021 prior to the commencement of construction. Requirements of this plan were adhered to during construction.	Compliant
Roadworks and Access				
New Access Road – Stage 3				
B32.	Prior to the issue of a Subdivision Works Certificate for Stage 3, detailed engineering plans of the new access road, proposed as part of Stage 3 are to be submitted to Council's Traffic and Transport Manager for consideration by the Parramatta Traffic Committee and approval by Council. The construction of the	Pre-Construction	The new Access Road – Stage 3 - to the CSIE site is not within the DSRRC. Subdivision works and activities undertaken by the Applicant VE Property Pty Ltd	Not Triggered

	proposed road is to be carried out by the Applicant with all associated costs to be paid for by the Applicant.		This area is to remain part of the Clyde Terminal and will retain its existing landform with stormwater flows being managed through the terminal's existing wastewater management plant in line with the conversion project (SSD-5147) and EPL 570. (Landform Plan Modification; Clyde Western Area Remediation Project, AECOM 28 Oct 2022).	
B33.	Prior to the release of the Subdivision Certificate for Stage 3, the Applicant must complete the construction of the access road described in condition B32 to the satisfaction of the relevant roads' authority. The Applicant must obtain approval for the works under section 138 of the Roads Act 1993.	Pre-Construction	The new Access Road – Stage 3 - to the CSIE site is not within the DSRRC. Subdivision works and activities undertaken by the Applicant VE Property Pty Ltd This area is to remain part of the Clyde Terminal and will retain its existing landform with stormwater flows being managed through the terminal's existing wastewater management plant in line with the conversion project (SSD-5147) and EPL 570. (Landform Plan Modification; Clyde Western Area Remediation Project, AECOM 28 Oct 2022).	Not Triggered
B34.	Prior to any dedication, the Applicant must ensure that the construction of the road has been completed to the satisfaction of the relevant roads' authority.	Pre-Construction	The new Access Road – Stage 3 - to the CSIE site is not within the DSRRC. Subdivision works and activities undertaken by the Applicant VE Property Pty Ltd This area is to remain part of the Clyde Terminal and will retain its existing landform with stormwater flows being managed through the terminal's existing wastewater management plant in line with the conversion project (SSD-5147) and EPL 570. (Landform Plan Modification; Clyde Western Area Remediation Project, AECOM 28 Oct 2022).	Not Triggered
Parking – DSRRC				
B35.	The Applicant must provide sufficient parking facilities on-site for the DSRRC, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public streets.		The approved Operational Environmental Management Plan (OEMP), Section 7.3 table 7.2, and section 2, Table 2 and Annex B Site Layout – shows that there is sufficient parking facilities on site for DSRRC during operation. A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant
Operating Conditions - DSRRC				
B36	The Applicant must ensure at the DSRRC that: (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking	Operation	Costin Roe Consulting's Civil Design Certification dated 22/2/2022 certified that the civil engineering design has been completed in accordance with SSD10459 including Condition B22 and B36 and the City of Parramatta Council Development Engineering Standards.	Compliant

	(Standards Australia, 2004), AS 2890.2:2018 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2018) and AS 2890.6.2009 Parking facilities Off-street parking for people with disabilities (Standards Australia, 2009) (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines. (c) the development does not result in any vehicles queuing on the public road network. (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site. (e) all vehicles are wholly contained on site before being required to stop. (f) all loading and unloading of materials is carried out on-site; (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.		The OEMP and Annex B provides a site layout that addresses the requirements under this condition. A copy of the Stamped Plans are available on https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/SSD-10459_Stamped_Plans_PART_1_and_2.pdf - High Level Design Review 30.0m B-Double Swept Path Drawings are kept on file. - Downer Operational Traffic Management Plan (SRRC-PLA-0001, 3.0) is kept on file. A copy of the OEMP is provided https://www.downergroup.com/management-plans	
HAZARDS AND RISK – DSRRC				
B37	Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with: (a) all relevant Australian Standards. (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and (c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management – technical bulletin (EPA, 1997). In the event of an inconsistency between the requirements of part (a) to (c), the most stringent requirement must prevail to the extent of the inconsistency.	Operational	Downer has a number of controls in place to ensure compliance with this condition. These are outlined within the OEMP approved by DPIE. A copy of the OEMP is provided https://www.downergroup.com/management-plans The Occupation Certificate, 17 May 2022 Mckenzie Group also confirms construction-built areas accordingly. Downer also has developed a Manifest Site Plan dated 15/11/2021 with location of DG Depots (19 depots located on site).	Compliant
B38	The development must not result in the non-compliance of any existing dangerous goods fuel and gas pipelines in accordance with AS2885 Pipelines – Gas and Liquid Petroleum.	Operational	No existing dangerous goods fuel and gas pipelines were impacted to result in non-compliance during development. Additional evidence includes: - 23 November 2021, NSW Fair Trading Certificate of Compliance for new Natural Gas compliance with AS5601 and AS4041 was issued to Byrne Pipe and Civil.	Not Triggered

			- ND, DocuSign Envelope, Origin Gas Sale Agreement (Agreement Number: 1547837) Estimated supply date - AS2885 Pipelines – Gas and Liquid Petroleum not required.	
Aboriginal Heritage				
Unexpected Finds Protocol				
B39	If any item or object of Aboriginal heritage significance is identified on site: (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately. (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and (c) Heritage NSW must be contacted immediately.	Construction	The approved Construction Environmental Management Plan (CEMP)– Annex G included a Contingency Management Plan which could be implemented if required. However, there are no Records of unexpected heritage finds and related actions to date.	Not Triggered
B40	Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the National Parks and Wildlife Act 1974.	Construction	The approved Construction Environmental Management Plan (CEMP)– Annex G included a Contingency Management Plan which could be implemented if required. However, there are no Records of unexpected heritage finds and related actions to date.	Not Triggered
Historic Heritage				
Unexpected Finds Protocol				
B41	If any archaeological relics are uncovered during the course of the work, then all works must cease immediately in that area. Unexpected finds must be evaluated and recorded and, if necessary, excavated by a suitably qualified and experienced expert in accordance with the requirements of Heritage NSW.	Construction	A letter received 22 September 2020 from the Heritage Council of NSW commented that there is little to no potential for archaeological relics s stated in the EIS. The approved Construction Environmental Management Plan (CEMP)– Annex G included a Contingency Management Plan which could be implemented if required. However, there are no Records of unexpected heritage finds and related actions to date.	Not Triggered
WASTE MANAGEMENT				
Waste Monitoring Program – DSRRC Site				
B42	From the commencement of operation of the DSRRC, the Applicant must implement a Waste Monitoring Program for the development. The program must: (a) be prepared by a suitably qualified and experienced person(s) prior to the commencement of operation. NSW Government 16 Central Sydney Industrial Estate and Downer Sustainable Road Resource Centre Department of Planning, Industry and Environment (SSD-10459)	Operational	A Waste Monitoring Program is incorporated into the approved OEMP under Section 7.6 and includes the following which indicates compliance to condition: a. Section 7.6 b. i. Section 7.6.1 b. ii. Section 7.6.2 c. i. Section 7.6.1 c. ii. Section 8.3	Compliance

	(b) include suitable provision to monitor the: i. quantity, type and source of waste received on site; and ii. quantity, type and quality of the outputs produced on site; and (c) ensure that: i. all waste that is controlled under a tracking system, has the appropriate documentation prior to acceptance at the site; and ii. staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.		A copy of the OEMP is provided https://www.downergroup.com/management-plans In addition, waste is also regulated by the site EPL 21611. All waste received on site (identified in the OEMP and EPL 21611) and removed from site are weighted on the site weighbridges. All vehicles are directed to the weighbridges upon arrival or departure. Records are kept electronically in Downer's tracking system. Personnel training is also provided (refer to ConditionA20) and Downer sends notification to all customer indicating that the site does not accept material with asbestos, PFAS and ASS.	
Waste Processing and Storage				
B43	The Applicant must unload all waste received at the site within the designated waste unloading areas.	Operational	The OEMP identifies designated waste unloading areas and management of waste unloading. The OEMP also includes the operational procedures in place to ensure compliance with condition.	Compliance
B44	All waste processing must be undertaken within designated areas.	Operational	The OEMP identifies designated waste processing areas. The OEMP also includes the operational procedures in place to ensure compliance with condition.	Compliance
Waste Management Plan – DSRRC				
B45	Prior to the commencement of operation of the DSRRC, the Applicant must prepare a Waste Management Plan (WMP) for the development to the satisfaction of the Planning Secretary. The WMP must form part of the OEMP required under condition C5. The WMP must: (a) detail the type and quantity of waste to be generated during operation of the development. (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (EPA, 2014); (c) detail the materials to be reused or recycled, either on or off site; and (d) include the Management and Mitigation Measures included in Appendix 2.	Operational	On the 4 February 2022, DPE acknowledged and approved the Operational Environmental Management Plan (OEMP), which includes the Waste Management Plan (WMP). In particular, the WMP includes. a. Section 7.5.3 b. Section 7.5.2, 7.5.4 and 7.5.5 c. Section 7.5.3 d. Section 7.5.2 A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliance
B46	The Applicant must: (a) not commence operation until the WMP is approved by the Planning Secretary.	Construction	On the 4 February 2022, prior to operation commencement, the DPE acknowledged and approved the Operational Environmental	Compliant

	(b) implement the most recent version of the WMP approved by the Planning Secretary.		Management Plan (OEMP), which includes the Waste Management Plan (WMP). A copy of the OEMP is provided https://www.downergroup.com/management-plans	
Statutory Requirements				
B47	All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.	Operational	The Operational Environmental Management Plan (OEMP) – Section 7.5 Waste Management, outlines how the site manages waste streams. Both Liquid and Non-liquid waste generated from spills are directed to a landfill/resource recovery facility licensed to receive such material. Invoices and weighbridge dockets kept on file regarding waste disposal.	Compliant
B48	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.	Operational	The Operational Environmental Management Plan (OEMP) – Section 7.5 Waste Management, outlines how the site manages waste streams. Both Liquid and Non-liquid waste generated from spills are directed to a landfill/resource recovery facility licensed to receive such material. Invoices and weighbridge dockets kept on file regarding waste disposal.	Compliant
B49	The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of the EPA.	Operational	The Operational Environmental Management Plan (OEMP) – Section 7.5 Waste Management, outlines how the site manages waste streams. In addition, Downer conducts all sampling in accordance with its approvals and EPA requirements. Procedures in place outline sampling process, and results kept on file. Waste records are all stored electronically.	Compliant
Pests, vermin, and priority weed management				
B50	The Applicant must: (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that	Operational	The Operational Environmental Management Plan (OEMP) - Section 10.1 and Table 7.12 Waste Management outline compliance to this condition.	Compliant

	pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area. Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015.		In addition; - Invoiced Records of weed management contractors kept on file. - Monthly Environmental site inspections are completed. - Flick Pest Control Inspection every 6 months, Invoices kept on file.	
VISUAL AMENITY				
Landscaping				
B51	Prior to the commencement of construction, the Applicant must prepare a Landscape Management Plan (LMP) to manage the revegetation and landscaping works on-site, to the satisfaction of the Planning Secretary. The LMP must form part of the OEMP required under condition C5. The LMP must: (a) detail the species to be planted on-site, using only locally native species. (b) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and (c) be consistent with the Applicant's Management and Mitigation Measures at Appendix 2.	Construction	The Operational Environmental Management Plan (OEMP) includes the Landscape Management Plan (LMP) in Annex E. This was approved by the Department on 19/02/2021 prior to the construction (25/02/2021) that includes relevant sections: a. Section 3 b. Section 4 c. Section 7 A copy of the OEMP is provided https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/PR122_Stage_1_CEMP-Annex_F_LMP_Final_210202.pdf	Compliant
B52	The Applicant must: (a) not commence construction until the LMP is approved by the Planning Secretary. (b) must implement the most recent version of the LMP approved by the Planning Secretary; and NSW Government 17 Central Sydney Industrial Estate and Downer Sustainable Road Resource Centre Department of Planning, Industry and Environment (SSD-10459) (c) maintain the landscaping and vegetation on the site in accordance with the approved LMP required by condition B51 for the life of the development.	Construction	The Operational Environmental Management Plan (OEMP) includes the Landscape Management Plan (LMP) in Annex E. This was approved by the Department on 19/02/2021 prior to the construction (25/02/2021) A copy of the OEMP is provided https://www.downergroup.com/management-plans Site inspection confirm maintenance of landscaping and vegetation in line with LMP as evidenced with invoices of ongoing maintenance.	Compliant
B53	Prior to services installation works commencing within Devon Street, the Applicant is to engage an AQF Level 5 Arborist to prepare a: (a) Tree Protection Plan and Tree Management Specification to incorporate specific tree protection measures to the street trees located along Devon Street in accordance with AS4970-2009 (Protection of Trees on Development Sites); and (b) Tree Removal Plan for any trees proposed to be removed. In the event that street trees are required to	Prior to installation of services	The approved Landscaping plan in Appendix L of the EIS was completed by a qualified person, and outlines the entire landscaping of the development, including trees to be removed, planted and how to manage, this was included into the OEMP. A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant

	be removed on Devon Street, replacement street trees are to be provided in consultation with Council.		There were no trees onsite to be removed as part of subdivision works within the DSRRC Area. Subdivision works and activities are undertaken by the Applicant VE Property Pty Ltd	
Lighting				
B54	The Applicant must ensure the lighting associated with the development: (a) complies with the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 2019); and (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties, the public road network or the riparian corridor / Duck River.	Operational	Stantec Electrical Design Certificate, Ref: 48077, dated 19/2/2021 certification of compliance with AS4282:2019. In addition, all lighting is mounted, screened and directed as to not create nuisance to surrounding properties, the public road network or the riparian corridor/Duck River.	Compliant
Signage and fencing				
B55	All signage and fencing must be erected in accordance with the development plans referenced in Appendix 1. Note: This condition does not apply to temporary construction and safety related signage and fencing.	Operational	All fencing installed as per development plans.	Compliant
PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING				
Environmental management				
Management Plan Requirements				
C1	Management plans required under this consent must be prepared by a suitably qualified and experienced person/s in accordance with relevant guidelines, and include:	Operational	The Construction Environmental Management Plan (CEMP) and Operational Environmental Management Plan (OEMP) were developed by suitably qualified persons and subsequently approved by the DPE. A copy of the CEMP and OEMP is provided https://www.downergroup.com/management-plans	Compliant
C1(a)	(a) details of: i. the relevant statutory requirements (including any relevant approval, licence or lease conditions); ii. any relevant limits or performance measures and criteria; and iii. the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;	Operational	These requirements are included in the approved OEMP and: - Section 1 of CEMP, Section 1 of the CTPMP (Annex E) and Section 1.2 of LMP (Annex F) - i. Section 5 of CEMP, Section 3.2 of CNMP (Annex C), Section 7.2 of CTPMP (Annex E), and Section 8.3 of LMP (Annex F) - ii. Section 7.2 CEMP, and Section 3.2 of CNMP (Annex C) - iii. Section 7.2 of CEMP, Annex G Section 3.2 of the CNMP (Annex C) and Section 6.3 of the FERP (Annex D - Performance evaluation criteria is written into applicable sections with the OEMP.	Compliant

			A copy of the CEMP and OEMP is provided https://www.downergroup.com/management-plans	
C1(b)	(b) details of site-specific training to be provided to construction and operation personnel to ensure compliance with the plans;	Operational	These requirements are included in the approved OEMP and - Section 8 of CEMP, - Section 6.2 of CNMP (Annex C), - Section 6.3.3 of FERP (Annex D), and - Section 8 of CTPMP (Annex E) Also refer to Condition A20 for further evidence.	Compliant
C1(c)	(c) a description of the measures to be implemented to comply with the relevant statutory requirements (including any relevant conditions under SSD-9302), limits, or performance measures and criteria;	Operational	These requirements are included in the OEMP, specifically in - Annex F and Section 7.2 of CEMP, - Annex G, Section 5 and 6 of CNMP (Annex C), - Section 6 of FERP (Annex D), - Section 7 and Appendix A and B of CTPMP (Annex E) - Section 3, 4, 5 and 6 of the LMP (Annex F) A copy of the CEMP and OEMP is provided https://www.downergroup.com/management-plans	Compliant
C1(d)	(d) a program to monitor and report on the: i. impacts and environmental performance of the development; and	Operational	These requirements are included in the approved OEMP and: - Section 10 of CEMP, - Annex G Section 6 of CNMP, (Annex C) - Section 4 and 6 of FERP (Annex D) - Section 8 and Appendix B of CTPMP (Annex E) - Section 7 of LMP (Annex F) A copy of the CEMP and OEMP is provided https://www.downergroup.com/management-plans	Compliant
C1(d)	ii. effectiveness of the management measures set out pursuant to paragraph (c) above;	Operational	These requirements are included in the approved OEMP and: - Section 10 of CEMP, - Annex G, Section 6 of CNMP (Annex C), - Section 4 and 6 of FERP (Annex D), - Section 8 and Appendix B of CTPMP (Annex E), and - Section 7 of LMP (Annex F) A copy of the CEMP and OEMP is provided https://www.downergroup.com/management-plans	Compliant

C1(e)	(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;	Operational	These requirements are included in the approved OEMP and: - Annex G, Section 6 of CNMP (Annex C), - Section 8 and Appendix B of CTPMP (Annex E) A copy of the CEMP and OEMP is provided https://www.downergroup.com/management-plans	Compliant
C1(f)	(f) a program to investigate and implement ways to improve the environmental performance of the development over time;	Operational	These requirements are included in the approved OEMP and: - Section 10 of CEMP, - Section 6 of CNMP (Annex C), and Section 8 and - Appendix B of CTPMP (Annex E) A copy of the CEMP and OEMP is provided https://www.downergroup.com/management-plans	Compliant
C1(g)	(g) a protocol for managing and reporting any: i. incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);	Operational	These requirements are included in the approved OEMP and - Section 10.3 of CEMP, - Section 6 of CNMP (Annex C), and - Appendix B of CTPMP (Annex E) A copy of the CEMP and OEMP is provided https://www.downergroup.com/management-plans	Compliant
C1(g)	ii. complaint;	Operational	These requirements are included in the approved OEMP and - Section 10.6 of CEMP, - Section 6 of CNMP (Annex C) A copy of the CEMP and OEMP is provided https://www.downergroup.com/management-plans In addition, A copy of the Complaints Register is available at https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/Downer_Sustainable_Road_Resource_Centre_Complaints_Register_210217.pdf	Compliant
C1(g)	iii. failure to comply with statutory requirements; and	Operational	These requirements are included in the approved OEMP and - Section 10.4 of CEMP,	Compliant

			- Section 6 of CNMP (Annex C) A copy of the CEMP and OEMP is provided https://www.downergroup.com/management-plans	
C1(h)	(h) a protocol for periodic review of the plan. *Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans*	Operational	These requirements are included in the approved OEMP and - Section 11of CEMP, - Section 6.8 of CNMP (Annex C), - Section 6.3.4 of FERP (Annex D), - Section 8 of CTPMP (Annex E) and - Section 7 of LMP (Annex F) A copy of the CEMP and OEMP is provided https://www.downergroup.com/management-plans	Compliant
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN				
C2	The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	Construction	On the 16 February 2021 DPE approved CEMP and associated sub plans to the satisfaction with requirements of conditions C2 and C3. "*The Department has carefully reviewed the documents and is satisfied they address the requirements of Condition C2 and C3 for the DSRRC works only.*" Construction Environmental Management Plan (CEMP) Rev 5, 5/02/2021, Downer, was prepared in accordance with C1 and approved.	Compliant
C3	As part of the CEMP required under condition C2 of this consent, the Applicant must include the following: (a) Construction Traffic and Pedestrian Management Plan (see condition B30); (b) Erosion and Sediment Control Plan. (c) Construction Noise Management Plan (see condition B14); (d) Community Consultation and Complaints Handling; and (e) Flood Emergency Response (see condition B23).	Construction	On the 16 February 2021 DPE approved CEMP and associated sub plans to the satisfaction with requirements of conditions C2 and C3. Construction Environmental Management Plan (CEMP) Rev 5, 5/02/2021, Downer, CEMP includes: a) Annex E of CEMP – Construction Traffic and Pedestrian Management Plan (CTPMP) Rev 1, 1/02/2021, Element Environment b) Annex H Construction Erosion and Sediment Control Plan Rev F, 30/11/2020. c) Annex C Construction Noise Management Plan (CNMP) Rev 1 1/02/2021, Element Environment d) Section 9.2, 10.4	Compliant

			e) Annex D Flood Emergency Response Rev 2, 3/02/2021 A copy of the CEMP is provided https://www.downergroup.com/management-plans	
C4	The Applicant must: (a) not commence construction of the development until the CEMP is approved by the Planning Secretary and provided to the EPA; and (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.	Construction	On the 16 February 2021, DPE approved CEMP and associated sub plans via correspondence, prior to construction. On the 12 February 2021 Letter was provided to DPE notifying of construction commencement date of – 25 February 2021	Compliant
OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN – DSRRC				
C5	The Applicant must prepare an Operational Environmental Management Plan (OEMP) for the DSRRC site in accordance with the requirements of condition C1, in consultation with the EPA and to the satisfaction of the Planning Secretary.	Operational	On the 4 February 2022 DPE acknowledged the Operational Environmental Management Plan (OEMP (Revision 4, dated 25 January 2022)) was submitted in accordance with Condition C5 of Schedule 2 of the consent for the Central Sydney Industrial Estate (CSIE) and Downer Sustainable Road Resource Centre (DSRRC) (SSD-10459). A copy of the OEMP is provided https://www.downergroup.com/management-plans On the 9 December 2021, the EPA responded was consulted and provided comment on OEMP.	Compliant
C6 (a)	As part of the OEMP required under condition C5 of this consent, the Applicant must include the following: (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (b) And management of the development	Operational	This is outlined within the OEMP: - Annex G – Site Roles and Responsibilities A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant
C6(c)	(c) describe the procedures that would be implemented to: i. keep the local community and relevant agencies informed about the operation and environmental	Operational	This is outlined within the OEMP: - Section 9 and 10.3. A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant

C6(c) ii.	ii. receive, handle, respond to, and record complaints;	Operational	This is outlined within the OEMP: - Section 10.4. A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant
C6(c) iii	iii. resolve any disputes that may arise;	Operational	This is outlined within the OEMP: - Section 10.4.3 A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant
C6(c) iv.	iv. respond to any non-compliance;	Operational	This is outlined within the OEMP: - Section 10.3. A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant
C6(c) v.	v. responds to emergencies; and	Operational	This is outlined within the OEMP: - Section 10.3 of OEMP & Annex K A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant
C6(d) i.	describe: i. how the DSRRC will ensure compliance with any relevant statutory obligations;	Operational	This is outlined within the OEMP: - Annex A and Section 5 & 7 - 7.3 A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant
C6(d) ii.	ii. the processes involved for each aspect of operation including processes for each of the individual facilities;	Operational	This is outlined within the OEMP: - Annex I - process figures and Section 6 &7 of OEMP A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant

C6(d) iii	iii. how each of the facilities interrelate and how they will be managed in concert with one another during operation; and	Operational	This is outlined within the OEMP: - Section 6, 7.4.4, 7.4.5 A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant
C6(d) iv	iv. how the operation will be managed in concert with any relevant conditions under SSD-9302 and any other relevant planning or licensing conditions related to the premises;	Operational	This is outlined within the OEMP: - Section 2.2 A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant
C6(e)	include the following environmental management plans or codes:	Operational	This is outlined within the OEMP, as evidenced on 4 February 2022, where DPE provided a letter stating satisfaction with requirements of condition C5 including. • Air Quality Management Plan (Condition B8) • Driver Code of Conduct (Condition B18) • Flood Emergency Response Plan (Condition B23) • Surface Water Management Plan (Condition B27 Waste Management Plan (Condition B45). A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant
C6(e) i.	i. Air Quality (see condition B8);	Operational	Air Quality Management Plan incorporated in the OEMP. A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant
C6(e) ii.	ii. Driver Code of Conduct (see condition B18);	Operational	Operational Environmental Management Plan (OEMP) Rev 5, 14 February 2023. Driver Code of Conduct incorporated. A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant

C6(e) iii.	iii. Waste (see condition B45);	Operational	Operational Environmental Management Plan (OEMP) Rev 5, 14 February 2023Waste Management Plan incorporated. A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant
C6(e) iv	iv. Flood Emergency Response (see condition B23); and	Operational	Operational Environmental Management Plan (OEMP) Rev 5, 14 February 2023Flood Emergency Response Management Plan incorporated. A copy of the OEMP is provided. https://www.downergroup.com/Content/cms/Documents/Rosehill_docs/PR122_Stage_1_CEMP-Annex_D_FERP_Final_210203.pdf	Compliant
C6(e) v.	v. Water (see condition B27).	Operational	Operational Environmental Management Plan (OEMP) Rev 5, 14 February 2023Water Management Plan incorporated. A copy of the OEMP is provided https://www.downergroup.com/management-plans	Compliant
C7	The Applicant must: (a) not commence operation until the OEMP is approved by the Planning Secretary; and (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).	Operational	On the 4 February 2022 DPE acknowledged and approved the Operational Environmental Management Plan (OEMP (Revision 4, dated 25 January 2022)) noting that the OEMP applies only to the DSRRC as there are no operational components associated with the CSIE	Compliant
Revision of strategies, plans and programs				
C8	Within three months of: (a) the submission of a Compliance Report under condition C14. (b) the submission of an incident report under condition C10. (c) the submission of an Independent Audit under condition C16. (d) the approval of any modification of the conditions of this consent; or (e) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing that a review is being carried out.	Operational		Compliant

C9	If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review. Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.	Operational	Downer has updated the OEMP in a new revision and has not submitted a copy of OEMP to DPE for review. Downer advised that its EMS, in accordance with ISO 14001, requires annual updates of management plans. Downer advised that the OEMP updated contact details, Downer standards, addresses, emergency contact details, but mitigation measures remain as per OEMP Rev 4. The independent auditor review of the OEMP indicates that Rev 5 appears to contain the same mitigation as Rev 4. Refer to Observation under C5.	Not Triggered
REPORTING AND AUDITING				
Incident Notification, Reporting and Response				
C10	The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 3.	Operational	No notifiable incidents have been reported since commencement of operation.	Not Triggered
Non-Compliance Notification				
C11	The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.	Operational	Not yet triggered.	Not Triggered
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.	Operational	Reference is made to your post-approval matter, SSD-10459-PA-34, Independent Environmental Audit (IEA) report and Response to Audit Recommendations (RAR) for the period 12 May 2022 to 20 July 2023, submitted as required by Schedule 2, Conditions C16 and C17 of SSD-10459 as modified (the consent) to the NSW Department of Planning and Environment (NSW Planning) on 24 August 2023.	Not Triggered
C13	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Operational	Not yet triggered.	Not Triggered
Compliance Reporting - DSRRC				
C14	Within three months after the first year of commencement of operation of the DSRRC, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance	Operational	The 1st Operational Compliance Report was submitted on the 15 October 2023 and was sent via the Major Projects Portal only. Compliance Report was due no later than 12 August 2023 (operations commenced 12 May 2022) The EPA requested that for future Operation Compliance Reports, under the provisions of Schedule 2, Part C, Condition C14 of the consent, the following information must be included as standalone sections. within the report:	Non-Compliant

	Reporting Post Approval Requirements (Department 2020) and must also: (a) identify any trends in the monitoring data over the life of the development. (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (c) describe what measures will be implemented over the next year to improve the environmental performance of the development		1. Condition C14 a) –any trends in the monitoring data, required under this consent. 2. Condition C14 b) – any discrepancies between the predicted and actual impacts of the development and analyse the potential cause of any significant discrepancies. 3. Condition C14 c) – the measures that will be implemented over the next year to improve the environmental performance of the report. Non-compliances identified in the Operation Compliance Report have been assessed in accordance with NSW Planning's Compliance Policy and closed out in response to the first IEA report, in a letter dated 12 September 2023	
C15	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.	Operational	The Compliance Report was made publicly available through Planning Portal and on Downer SRRC Website Downer Sustainable Road Resource Centre Other Documents (downergroup.com)	Complaint
Independent Audit - DSRRC				
C16	Within one year of the commencement of operations of the DSRRC, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must: (a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020) (b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and (c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary).	Operational	An Independent Environmental Audit was commissioned, and full cost paid in accordance with this condition, this was done outside of the timeframe specified. The timeframe 'within one year of the commencement of operations' passed on the 12 May 2023, and engagement of Independent Audit was undertaken on the 23 June 23, just outside of the specified time. Non-compliances identified in the IEA have been assessed by NSW Planning in accordance with its Compliance Policy, with NSW Planning on this occasion determining to record the breaches with no further enforcement action proposed.	Non-Compliant
C17	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2020), the Applicant must: (a) review and respond to each Independent Audit Report prepared under condition C16 of this consent. (b) submit the response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations. (c) implement the recommendations to the satisfaction of the Planning Secretary; and	Operational	IEA was sent via the Major Project Portal 12/09/2023. NSW Planning considers the IEA report to generally satisfy the reporting requirements of the consent and the NSW Planning Independent Audit Post Approval Requirements (2020). As required by Schedule 2, Condition C17 of the consent, please make publicly available a copy of the IEA Report on the project website. Independant_Audit_Post_Approval_reports_12092023.pdf (downergroup.com)	Compliant

	(d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.			
Monitoring and Environmental Audits				
C18	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing. Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.	Operational	Division 9.4 of Part 9 of the EP&A Act relates to (among other things) the need to be accurate, true (not misleading), properly conducted (approved methodology, calibrated etc.), and with records retained. No notifiable incidents have yet occurred at the site and monitoring has been undertaken in accordance with the consent as noted within this compliance report.	Not Triggered
Access to information				
C19	At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: i. the documents referred to in condition A2 of this consent. ii. all current statutory approvals for the development. iii. all approved strategies, plans and programs required under the conditions of this consent. iv. the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged. v. regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent. vi. a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs. NSW Government 21 Central Sydney Industrial Estate and Downer Sustainable Road Resource Centre	Operational	All publicly available information required by this condition is available on the project website: (https://www.downergroup.com/downer-rosehill-sustainable-resource-centre)	Compliant

	Department of Planning, Industry and Environment (SSD-10459) vii. a summary of the current stage and progress of the development. viii. contact details to enquire about the development or to make a complaint. ix. complaints register, updated monthly. x. the Compliance Report of the development. xi. audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report. xii. any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.			

Appendix D: Compliance Report Declaration Form

Compliance Report Declaration Form	
Project Name:	Central Sydney Industrial Estate; and Downer Sustainable Road Resource Centre
Project Application Number:	SSD-10459
Description of Project:	The construction and operation of a combined asphalt plant, reclaimed asphalt pavement (RAP) facility, bitumen products plant and a road waste sweeping recycling facility (Reconomy) on proposed Lot 6.
Project Address:	9 Devon Street, Rosehill NSW 2142
Proponent:	Downer EDI Works Pty Ltd
Title of Compliance Report:	Operational Compliance Report 1
Date:	08/08/2024

I declare that I have reviewed the contents of the attached Compliance Report and to the best of my knowledge:

i. the Compliance Report has been prepared in accordance with all relevant conditions of consent.
ii. the Compliance Report has been prepared in accordance with the Compliance Reporting Requirements.
iii. the findings of the Compliance Report are reported truthfully, accurately and completely.
iv. due diligence and professional judgement have been exercised in preparing the Compliance Report; and
v. the Compliance Report is an accurate summary of the compliance status of the development.

Name of Authorised Reporting Officer:	Colin Biggs
Title:	Environmental and Sustainability Advisor
Signature:	
Qualification:	Bach Landscape Management and Conservation/ Diploma of Quality Auditing/ Diploma of Management.
Company:	Downer
Company Address:	50 Eastern Creek Drive, Eastern Creek NSW