

Prepared for

**Mirvac Projects Pty Ltd**

Prepared by

**Ramboll Australia Pty Ltd**

Date

**26 October 2020**

# **SSD 8449 LOCOMOTIVE WORKSHOP – BAYS 5 – 15 2020 INDEPENDENT ENVIRONMENTAL AUDIT**

## SSD 8449 LOCOMOTIVE WORKSHOP – BAYS 5 – 15 2020 INDEPENDENT ENVIRONMENTAL AUDIT

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## ACRONYMS AND ABBREVIATIONS

AEMR	Annual Environmental Management Report
AQMP	Air Quality Management Plan
BCA	Building Code of Australia
CC	Construction Certificate
CCS	Community Communication Strategy
CMP	Conservation Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CPTMP	Construction Pedestrian and Traffic Management Plan
CWMP	Construction Waste Management Plan
DPIE	NSW Department of Planning, Industry & Environment
EA	Environmental Assessment
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EMS	Environmental Management System
ENM	Excavated Natural Material
EPA	NSW Environment Protection Authority
EPL	Environment Protection Licence
HAMS	Heritage Asset Management Strategy
HIP	Heritage Interpretation Plan
HIS	Heritage Impact Statement
HSE	Health, Safety and Environment
ICNG	Interim Construction Noise Guideline
IEA	Independent Environmental Audit
IOC	Interim Occupation Certificate
ISO	International Organisation for Standardisation
JSEA	Job Safety and Environment Analysis
LDMP	Loading Dock Management Plan
LTEMP	Long Term Environmental Management Plan
MCMP	Moveable Collections Management Plan
MOD	Modification of Development Consent
NSW	New South Wales
OEMP	Operational Environmental Management Plan
OPoM	Blacksmith Operational Plan of Management

PCA	Principal Certifying Authority
PIRMM	Pollution Incident Response Management Manual
PIRMP	Pollution Incident Response Management Plan
POEO	Protection of the Environment Operations (Act)
RAP	Remedial Action Plan
REMP	Remediation Environmental Management Plan
RTS	Response to Submissions Report
SAR	Site Audit Report
SAS	Site Audit Statement
SSD	State Significant Development
TfNSW	Transport for NSW
VENM	Virgin Excavated Natural Material
WSC	Water Servicing Coordinator
WMP	Waste Management Plan

## 1. EXECUTIVE SUMMARY

Ramboll Australia Ltd (Ramboll) was engaged by Mirvac Projects Pty Ltd (Mircvac) to conduct an Independent Environmental Audit (IEA) of the Locomotive Workshop development project. The Locomotive Workshop is located at 2 Locomotive Street, Eveleigh, New South Wales (NSW), within the South Eveleigh Precinct. Mirvac is redeveloping the Locomotive Workshop for retail and commercial use.

The Locomotive Workshop development was approved by the Independent Planning Commission of New South Wales as State Significant Development (SSD) under two Development Consents: SSD 8517, dated 22 February 2019, for Bays 1-4a, referred to as the Retail Development; and SSD 8449, dated 22 February 2019, for Bays 5-15, referred to as the Commercial Development. Mirvac is the "Applicant" for the purpose of SSD 8517 and SSD 8449. The IEA of the Commercial Development, which is the subject of this report, is required under consent Conditions C7 to C9 of SSD 8449. The IEA for the Retail Development under SSD 8517 will be reported separately.

Under Condition A23 of SSD 8449, the development will be carried out in five stages. This Audit is the second IEA for the development. At the time of the first IEA in 2019 (2019 IEA), construction certificates (CC) for Stages 1 (CC1), 2 (CC2) and 5 (CC5) had been issued and construction works were underway. For this second IEA, CCs for Stages 3 (CC3) and 4 (CC4) have been issued with structural, services and base build fit out works in progress. Modifications to the consent and a CC for a sub-stage of work were also issued.

The objective of the Audit was to independently and objectively assess the environmental performance and compliance status of the project under SSD 8449 during the Audit Period. The Audit Period was from 18 September 2019 to 17 September 2020. A site inspection was conducted on 17 September 2020.

The Auditors assessed the development to be generally compliant with the conditions of approval with Development Consent SSD 8449, particularly in relation to its environmental performance. Seven non-compliances were identified of which three had already been notified by Mirvac to Department of Planning, Industry & Environment (DPIE or the Department). Six of the non-compliances are considered to be administrative in nature. The non-compliances are summarised as follows:

- **NC1 (Condition A13)** – Mirvac made three non-compliance notifications to the DPIE during the Audit Period. One of the notifications (11/03/20) was emailed to the DPIE 8 days after becoming aware of the non-compliances (03/03/20). Mirvac had notified the DPIE of the non-compliances on 03/03/20 but the earlier notification did not meet all of the requirements of Condition A14. The Auditors do not make a recommendation as the non-compliances have already been addressed.
- **NC2 (Condition A16)** – Mirvac did not review strategies, plans and programs and notify DPIE of such, within 3 months of submission of Independent Audit Report 1 8449 (01/11/19); and approval of SSD 8449 MOD5 (Skylights) (20/11/19). The Auditors recommend that the '200916 - C3\_A16\_Locomotive Workshop.xlsx' spreadsheet be amended to record the document revision numbers, the dates when they were reviewed and the dates when DPIE were notified that they were reviewed.
- **NC3 (Condition A20)** – The 3rd and 4th instalments of the Long Service Levy were paid later than their due dates under the instalment plan. The Auditors recommend that the final instalment be paid prior to its due date, 01/01/21.
- **NC4 (Condition C2)** – Mirvac did not notify DPIE in writing more than 48 hours in advance of the scheduled commencement of Stage 3 (Structure); and Stage 4 (Services and Base Build

Fit Out). The Auditors do not make a recommendation as this non-compliance was notified to the DPIE on 18/06/20. However, a related opportunity to improve has been suggested.

- NC5 (Condition C5) – Compliance reporting was considered non-compliant for the following reasons:
  - The contents of the Compliance Report 1 and Compliance Report 2 do not meet all of the Compliance Reporting Post Approval Requirements (Department 2018).
  - Compliance Report 2 did not refer to non-compliances that were notified during the reporting period and instead referred to non-compliances made during the previous reporting period (i.e. referred to in Compliance Report 1).
  - A table of previous report actions arising from a previous Independent Audit and Compliance Reports detailing progress made to address each action and the outcomes of each action was not included.

It is recommended that Mirvac ensure that Compliance Report 3 meets all of the requirements of the Compliance Reporting Post Approval Requirements (Department 2018).

- NC6 (Condition C6) – Construction Compliance Report 1 was not made publicly available within 60 days of submission to the DPIE. Also, the version of the Pre-Construction Compliance Report on the public website is still version 1, indicating that this non-compliance from the 2019 IEA has not been actioned. The Auditors recommend that the latest version of the Pre-Construction Compliance Report be made available on the public website and that Mirvac implement a system of recording when documents are made publicly available and consider how to ensure that Compliance Reports are made publicly available within the required timeframe (i.e. within 60 days of submission to DPIE and at least 7 days after notifying DPIE that they were to be made publicly available) and that the DPIE are notified accordingly.
- NC7 (Condition D18) – Storage areas for minor quantities of gases in cylinders were not kept clear of combustible materials for a distance at least 3 metres as required under AS 4332-2004. The Auditors recommend that the storage of gas cylinders be improved to ensure 3 m separation from combustible materials.

Management systems and environmental performance are considered to be of an appropriate standard. However, given the number of administrative non-compliances related to missing reporting and notification deadlines, it is considered that the management system for ensuring compliance can be further improved. Recommendations have been made in relation to five non-compliances and five opportunities for improvement.



## 2. INTRODUCTION

### 2.1 Background

Ramboll Australia Ltd (Ramboll) was engaged by Mirvac Projects Pty Ltd (Mircvac) to conduct an Independent Environmental Audit (IEA) of the Locomotive Workshop development project. The Locomotive Workshop is located at 2 Locomotive Street, Eveleigh, New South Wales (NSW), within the South Eveleigh Precinct. Mirvac is redeveloping the Locomotive Workshop for retail and commercial use.

The Locomotive Workshop development was approved by the Independent Planning Commission of New South Wales as State Significant Development (SSD) under two Development Consents: SSD 8517, dated 22 February 2019, for Bays 1-4a, referred to as the Retail Development; and SSD 8449, dated 22 February 2019, for Bays 5-15, referred to as the Commercial Development. Mirvac is the "Applicant" for the purpose of SSD 8517 and SSD 8449. The IEA of the Commercial Development, which is the subject of this report, is required under consent Conditions C7 to C9 of SSD 8449. The IEA for the Retail Development under SSD 8517 will be reported separately.

Under Schedule 2 of SSD 8449, the Development Consent Conditions are divided into six parts as follows:

- Part A Administrative Conditions
- Part B Prior to Issue of Construction Certificate
- Part C Prior to Commencement of Works
- Part D During Construction
- Part E Prior to Occupation or Commencement of Use
- Part F Post Occupation

Under Condition A23, SSD 8449, the development will be carried out in five stages as follows:

Stage	Description
Stage 1	Demolition
Stage 2	Foundations, excavation, in-ground works and services
Stage 3	Structure
Stage 4	Services and base build fit out
Stage 5	Facade and roof

An Audit Program for the conduct of the IEAs was prepared for Mirvac by Ramboll and was submitted to the Department of Planning, Industry and Environment (DPIE or the Department) by Mirvac on 11 March 2019. The Audit Program was divided into three audits targeting the three phases of the development: 1) Prior to commencement of works as well as early construction (Parts A to D); 2) later during construction (Parts A, D and E, and any Parts of B and C that had not previously been triggered); and 3) Occupation (Parts A and F, and any Parts of B, C and D that had not previously been triggered). This Audit is the second IEA for the development.

At the time of the first IEA (herein referred to as the '2019 IEA'), construction certificates (CC) for Stages 1 (CC1), 2 (CC2) and 5 (CC5) had been issued and construction works were underway. For this second IEA, CCs for Stages 3 (CC3) and 4 (CC4) have also been issued with structural, and services and base build fit out works in progress. There have been further modifications to the consent and CC5a for sub-stages of work were 5a (skylights) also issued.

## 2.2 Audit Team

The Audit Team comprised Emily Rowe (Auditor), Rosebud Yu (Auditor), David Ford (Auditor) and Victoria Sedwick (Lead Auditor) of Ramboll. DPIE issued a letter of endorsement for the Audit Team on 28 August 2020 (**Appendix C**).

## 2.3 Audit Objectives

The objective of the Audit was to independently and objectively assess the environmental performance and compliance status of the project under SSD 8449 during the Audit Period.

## 2.4 Audit Scope

1. The scope for the Audit is taken from the Audit Program, which was based on SSD 8449 Condition C8, as follows:

*"Audit 2 will:*

- a) Assess the environmental performance of the development during construction and its effects on the surrounding environment including the community, including implementation of recommended actions from Audit 1;*
- b) Assess whether the development is complying with the terms of the consent as they apply at the time of the audit;*
- c) Review the adequacy of relevant documents required under the consent; and*
- d) Recommend measures or actions to improve the environmental performance of the development, and improvements to relevant documents required under the consent.*

*Conditions to be audited:*

- All Part A conditions of consent (Administrative Conditions);*
- Part B conditions of consent (Prior to Issue of Construction Certificate) if, at the time of Audit 1, they had not been triggered; were an ongoing requirement; or were not compliant and an audit recommendation made;*
- Part C conditions of consent (Prior to Commencement of Works) if, at the time of Audit 1, they had not been triggered; were an ongoing requirement; or were not compliant and an audit recommendation made;*
- All Part D conditions of consent (During Construction); and*
- All Part E conditions of consent (Prior to Occupation or Commencement of Use) – it is anticipated that some Part E conditions may have been triggered at the time of this audit.*

*No Part F (Post Occupation) conditions of consent will be audited as none of these conditions will have been triggered at the time of this audit".*

## 2.5 Audit Period

The site visit for this Audit was conducted on 17 September 2020. The Audit Period was from the date of the 2019 IEA site visit on 18 September 2019 to the date of this site visit (on 17 September 2020).

### 3. METHODOLOGY

The Audit was conducted generally in accordance with Australian Standard AS/NZS ISO 19011:2014 Australian/New Zealand Standards: Guidelines for quality and/or environmental management systems auditing and the Department's 2018 guideline Independent Audit: Post Approval Requirements (Department 2018), as referenced in the consent.

#### 3.1 Selection and Endorsement of Audit Team

The Ramboll Auditors referred to in Section 2.2 have training and extensive experience in conducting environmental compliance audits and are independent from Mirvac. Victoria Sedwick, Emily Rowe and Rosebud Yu are certified Lead Auditors with Exemplar Global (Certificate No. 13180, 204997 and 12305, respectively). The Audit Team was endorsed by DPIE in a letter dated 28 August 2020 (**Appendix C**).

#### 3.2 Independent Audit Scope Development

The scope for the Audit was developed to assess the development's environmental performance in relation to pre-construction, construction and prior to occupation or commencement of use conditions of SSD 8449, which included all post approval documents prepared to satisfy the conditions relevant to these stages of work. Six modifications of Consent Conditions were approved during the Audit Period, being modifications 4 (MOD4); 5 (MOD5); 6 (MOD 6); 7 (MOD7); 9 (MOD9) and 10 (MOD10). Modifications MOD1, MOD2 and MOD 3 had been approved during the prior audit period.

##### Document review

Ramboll undertook a review of documentation relevant to the environmental management, compliance and performance of the Project including, but not limited to:

- Development consents and modifications of consent for SSD 8449
- Management plans and other documentation as listed in Section 4.1
- Complaints Register
- Correspondence records
- Previous Independent Audits for SSD 8449
- Compliance Reports for the construction period

##### Develop audit plan

A comprehensive protocol (Audit Table) was developed for the development consent to facilitate onsite interviews and inspection for the assessment of compliance. The Audit Table included:

- A unique identification number for each condition of consent (ID)
- The exact wording of the compliance requirement
- Evidence used to assess and determine whether each requirement has been complied with
- Commentary on findings and recommendations
- Recording the status of compliance
- A unique identification number for each non-compliance (NC)

The completed Audit Table is provided in **Appendix A**.

#### 3.3 Site Inspection and Interviews

The Locomotive Workshop was inspected by the Auditors (Emily Rowe and Rosebud Yu) on 17 September 2020. The following Mirvac personnel and consultants to Mirvac were interviewed during the site visit. Mirvac personnel who accompanied the Auditors during the site inspection are indicated by an asterisk (\*):

- Helen Rosen, Development Manager, Mirvac

- Zac Langsford, Assistant Development Manager, Mirvac
- Philippa Williams, Assistant Development Manager, Mirvac
- Nathan McCoy\*, Trainee Development Manager, Mirvac
- Chris Callaghan\*, Project Manager, Mirvac
- Warren Henson\*, Senior Site Manager, Mirvac
- John Tsaoudis, Senior HSE Officer, Mirvac
- Andre Fleury, Archaeologist / Heritage Specialist, Curio Projects
- Thomas Frisken, Senior Project Scientist, JBS&G
- Nathan Cussen – Senior Associate, JBS&G
- Aaron Smith\* – Hygienist, JBS&G

Photographs taken during the site inspection are provided in **Appendix D**.

### **3.4 Consultation**

The Auditors did not consult DPIE or other Authorities concerning this Audit and the environmental performance of Mirvac.

### **3.5 Compliance Status Descriptors**

This Audit Report has been prepared generally in accordance with the IAPAR 2020. As such, the following compliance descriptors have been used:

Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not triggered	A requirement has an activation or timing trigger that has not been met at the time when the Audit is undertaken, therefore an assessment of compliance is not relevant.

Observations have also been made that identify opportunities for improvement with recommendations given where relevant (refer to Section 5).

## 4. AUDIT FINDINGS

### 4.1 Approvals and Documents Reviewed

Approvals and documents provided by Mirvac and/or available on the Mirvac South Eveleigh website, as well as the DPIE Major Projects website, reviewed by the Auditors included:

- Development Consent SSD 8449, 22 February 2019.
- Modification of Development Consent SSD8449, dated 19/2/2020 (MOD4).
- Modification of Development Consent SSD8449, dated 20/11/2019 (MOD5).
- Modification of Development Consent SSD8449, dated 5/2/2020 (MOD6).
- Modification of Development Consent SSD8449, dated 9/6/2020 (MOD7).
- Modification of Development Consent SSD8449, dated 2/9/2020 (MOD9).
- Modification of Development Consent SSD8449, dated 2/9/2020 (MOD10).
- Construction Certificate No. 17-209159\_CC3\_SSD8449\_Stage 3\_Structure (excl Bay 15), with attachments, Philip Chun, 04/03/20.
- Construction Certificate No. 17-209159\_CC4\_SSD8449\_Stage 4 Architectural + Services (Bays 5 to 13), with attachments, Philip Chun, 21/07/20.
- Construction Certificate No. 17-209159\_CC5a\_SSD8449\_Stage 5a\_Skylights + Louvre (Bays 5-13), with attachment, Philip Chun, 11/02/20.
- Compliance Report 1 Locomotive Workshop SSD 8449, prepared by Mirvac, Revision 1, 16/12/2019
- Compliance Report 2 Locomotive Workshop SSD 8449, prepared by Mirvac, Revision 1, 15/06/2020
- South Eveleigh Community Liaison Group, Meeting 32 presentation, 14/09/2020.
- Complaints Register, August 2020
- Maintenance Logbooks for EWP
- Equipment service record for forklift, serial no. CT17D-69220
- Example of scope of works provided to a contractor tendering for works.
- Example of a Noise Alert email, 14/9/2020.
- Pre-start topics notice for 17/9/2020.
- Photographs of lanterns (in situ, stored, re-installed).
- Example record for removed lanterns.
- Various PCA Matrix prepared by Philip Chun for various Construction Certificates (e.g. 17-2019159\_LOCO\_Retail\_SSD8449\_PCAMatrix\_Rev5\_11022020, 17-2019159\_LOCO\_Retail\_SSD8449\_PCAMatrix\_Rev7\_21072020)
- Heritage Impact Statement RE' Cocktail Bar, Locomotive Workshops Bays 8/9 Annexe, prepared by Curio Projects (for Drinkslab), 24 August 2020.
- Audit Findings Action Plan – ATP Building 1, prepared by Mirvac, 20/03/2020.
- Electrical Safety Inspection of Locomotive Workshops, prepared by NECA, 19/05/2020.

- Locomotive Audit Tool for HSE – completed audit, prepared by Mirvac, 10/12/2019.
- Email from Mirvac (Nathan McCoy, Trainee Development Manager), on 25/09/2020.
- Letter dated 08/07/20 from Curio Projects (Natalie Vinton) to Mirvac Projects confirming consultation on new services.
- Letter from Mirvac (Zac Langsford) to DPIE (Compliance team) dated 07/09/2020, Re: Condition A13 Non-compliance notification (for Condition C2).
- Letter from Mirvac (Zac Langsford) to DPIE (Compliance team) dated 18/06/2020, Re: Condition A13 Non-compliance notification (for Compliance Report 2), Conditions C2, C5, A16.
- Discovery of Building Fabric – Bay 5 Locomotive Workshops Australian Technology Park, 09/12/2019, prepared by Curio Projects.
- Email dated 13/03/2020 from Heritage NSW (David Nix) to Mirvac (Philippa Williams) Re: Discovery of Fabric Bay 5, Locomotive Workshops.
- Email dated 09/12/19 from Curio Projects (Natalie Vinton) to Heritage NSW (David Nix) & Council (Priyanka Misra) re update on discovery of fabric in Bay 5.
- Email dated 03/02/20 from Heritage NSW (David Nix) to Mirvac (Philippa Williams) re comments on scope of work for discovery of fabric in Bay 5.
- Workplace Travel Plan – Locomotive Workshop, South Eveleigh, Reference N183400, Issue B, 07/02/2020 prepared by GTA Consultants (NSW) Pty Ltd.
- Email from TfNSW (David Surplice) to Mirvac (Nathan McCoy), Re: SSD 8517/ SSD 8449 (Locomotive Workshop) – Work Place Travel Plan, 13/02/20.
- Letter from DPIE (Anthony Witherdin) to Mirvac (Nathan McCoy), re approval of Workplace Travel Plan for SSD 8449 (Bays 5-15), 02/03/20
- Letter from Mirvac (Zac Langsford) to DPIE (Carolyn McNally), Re: Locomotive Workshops – Condition E19 SSD 8517 (Bays 1-4s) & Condition E18 SSD 8449 (Bays 5-15) – Loading Dock Management Plan, 03/07/20.
- Letter from DPIE (Anthony Witherdin) to Mirvac (Zac Langsford), re approval of the Loading Dock Management Plan (for SSD 8517 & SSD 8449), 29/07/2020.
- Email from TfNSW (George Mobayed) to Mirvac (Zac Langsford) re approval of LDMP (Rev 2), 23/06/2020.
- Email from Council (Amy Douglas) to Mirvac (Zac Langsord) re approval of LDMP (Rev 2), 29/06/2002.
- South Eveleigh Locomotive Workshop Loading Dock Management Plan, SSD 8517 & 8449, Revision 2, Mirvac, 02/06/20
- Mirvac's South Eveleigh webpage for 'Construction & Development Updates':  
<https://southeveleigh.mirvac.com/about/locomotive-workshop/development-updates>
- Mirvac's South Eveleigh webpage for 'South Eveleigh Construction Updates':  
<https://southeveleigh.mirvac.com/about/construction-and-development-updates>.
- CC Program\_UPDATED.
- DA condition tracking register ("200916-C3\_A16\_Locomotive Workshop" spreadsheet)

- Letter from Mirvac to DPIE dated 11/10/19, Re. Locomotive Workshops - SSD 8517 (Bays 1-4a) – Condition A13 and SSD 8449 (Bays 5-15) Condition A13 Non-compliance Notification
- Letter from Mirvac to DPIE dated 3/3/20, Re. Locomotive Workshops - SSD 8517 (Bays 1-4a) – Condition A16 and SSD 8449 (Bays 5-15) Condition A16 Revisions of Strategies, Plans and Programs
- Letter from Mirvac to DPIE dated 11/03/20, Re. Locomotive Workshops - SSD 8517 (Bays 1-4a) – Condition A13 and SSD 8449 (Bays 5-15) Condition A13 Non-compliance Notification
- Letter from Mirvac to DPIE dated 18/06/20, Re. Locomotive Workshops - SSD 8517 (Bays 1-4a) – Condition A13 and SSD 8449 (Bays 5-15) Condition A13 Non-Compliance Notification
- City of Sydney, Notice of Determination – Approval, Application No: D/2019/1492, Acuity Project Management Pty Ltd, 2/4/20
- City of Sydney, Notice of Determination – Approval, Application No: D/2020/11, Acuity Project Management Pty Ltd, 3/4/20
- City of Sydney, Notice of Determination – Approval, Application No: D/2020/316, Robinson Urban Planning Pty Ltd, 11/6/20
- Letter from Long Service Corporation to Mirvac, Re. Revised Approval to Pay Levy by Instalments, 02/04/19
- Levy Receipt, 00378189, 29/04/19 (1st instalment)
- Levy Receipt, 00397592, 20/09/19 (2nd instalment)
- Levy Receipt, 00416640, 02/03/20 (3rd instalment)
- Levy Receipt, 00438744, 19/08/20 (4th instalment)
- Aconex Memorandum from Philip Chun to Mirvac, Re: Condition B13 (SSD 8517) / B10 (SSD 8449) - Construction Waste Management Plan - CC01, 25/2/2019
- Waste Management Plan, 51142/120518 Rev 2, JBS&G Australia Pty Ltd, 7 February 2019
- Waste Management Plan, 51142/125177 Rev 3, JBS&G Australia Pty Ltd, 21/10/19
- Mirvac, Mirvac Response to Independent Environmental Audit, SSD 8517 Locomotive Workshop – Bays 1-4A, October 2019, 21/10/19
- Construction Certificate No. 17-209159\_CC4\_SSD8449\_Stage 4\_Architectural+Services, 21/07/20 with the following attachments:
  - Design Compliance Certificate, Mechanical Ventilation Services, 30/03/20
  - Design Compliance Certificate, Part F5 Sound Transmission and Insulation, 30/03/20
  - Design Compliance Certificate, Part J Mechanical Ventilation of BCA, 30/03/20
- Draft Development Consent Matrix for the LOCO Workshops (Bays 5-15), 17-209159-LOCO\_Retail\_SSD8449\_PCAMatrix\_Rev7\_21072020
- Letter from Buchan to Mirvac, Re: Locomotive Workshop, 2 Locomotive Street, Eveleigh NSW 2015 Amenities Design, Bays 1-4a, SSDA 8517, Design in accordance with conditions B16 – B19 SSD 8449 and conditions B20 - B23 SSD 8517, 11/10/19

- Buchan, FF&E Schedule, Revision H, Schedule No: TBG-AR-SCH-BB-B4-6000, For Construction Certificate, 09/10/19.
- Aconex Correspondence from Philip Chun to Mirvac, Re: SSD 8449 – B16-19 (Installation of Water Efficiency Measures), 23/04/20
- Letter from Harris Page & Associates Pty. Limited to Mirvac, Re: Australian Technology Park, Locomotive Workshop – ATP Precinct, Water Reuse Strategy Compliance Assessment, 09/10/19
- Emails between Mirvac and City of Sydney, Re: TRIM CM: Locomotive Workshop – Rainwater Harvesting and Recycling, dated 02/08/20 to 16/10/19
- Letter from DPIE to Mirvac, Locomotive Workshop Rainwater Harvesting and Recycled Water Reuse Strategy (SSD 8517 and SSD 8449), 24/10/19
- Aconex Correspondence from Philip Chun to Mirvac, Re: Conditions B24 (SSD 8517) & B20 (SSD 8449) – Rainwater Harvesting and Recycling, 24/10/19
- Letter from Morris Goding Access Consulting to Mirvac, Re: ATP Locomotive Workshop – Access Design Certification v3, 21/11/19
- Construction Certificate No. 17-209159\_CC4\_SSD8449\_Stage 4\_Architectural+Services, 21/07/20, with Attachment 29:
- Morris Goding Access Consulting, CC Access Issues Report – Final, 23/09/19
- Letter from Morris Goding Access Consulting to Mirvac, Re: ATP Locomotive Workshop (Bays 5-13) – Access Design Certification CC4, 06/07/20
- Email with letter attached from Mirvac to DPIE, Re. Locomotive Workshops – SSD 8517 (Bays 1-4a) – Condition B39 and SSD 8449 (Bays 5-15) Condition B31 Detailed Design Information, 11/10/19
- Email with letter attached from Mirvac to DPIE, Re. Locomotive Workshops – SSD 8517 (Bays 1-4a) – Condition B39 and SSD 8449 (Bays 5-15) Condition B31 Detailed Design Information, 30/10/19
- Email from Mirvac to DPIE re. SSD 8449 Notice of commencement, 21/06/19
- Mirvac, Compliance Report 1, Locomotive Workshop SSD 8449, December 2019, Revision 1, 16/12/19
- Mirvac, Compliance Report 2, Locomotive Workshop SSD 8449, June 2020, Revision 1, 15/06/20
- Email from DPIE to Mirvac, ATP Locomotive Workshop (Bays 5 - 15) - Post Approval Document Received - (SSD-8449-PA-5), 15/06/20
- Ramboll Australia Pty Ltd, 2019 Independent Environmental Audit, SSD 8449 Locomotive Workshop – Bays 5-15, 31/10/19
- Email from Mirvac to DPIE, Re: Locomotive Workshop (SSD 8449) Conditions C8 & C9 - Independent Audit Report, 01/11/19
- Mirvac, Mirvac Response to Independent Environmental Audit, SSD 8449 Locomotive Workshop – Bays 5 - 15, November 2019, 01/11/19.
- Email from Mirvac to DPIE, Re: SSD 8517 & SSD 8449 - Condition C9 (Independent Audit), 08/11/19
- Site Specific Induction\_Rev8\_060720.pptx



- Scope of works, Quantum Fitout, Trade: Painting, Revision A, 12/06/20
- Construction site notices
- Email correspondence between Mirvac and City of Sydney, RE: ATP Locomotive Sheds - Extended Hours Proposal, 19/06/20 and 06/07/20, with attachments: Bay 15 Proposed Change to Work Hours.pdf
- Mirvac, Construction Update 10/07/2020, Extension of Construction Hours for Locomotive Workshop Internal Bay 15 Works
- Mirvac, Construction Update 10/07/2020, Extension of Construction Hours for Locomotive Workshop Internal Bay 15 Works
- Australian Technology Park Remedial Action Plan, 51142/104280 (Revision 0), JBS&G Australia Pty Ltd, 15/06/16.
- 200911\_Validation Staging.pdf (drawing)
- Letter from JBS&G to Mirvac, Re: Waste Classification: Stockpile 1 and Piling Spoil, Bay 15 North, Locomotive Workshops, 08/09/20
- Locomotive Workshops\_Daily Site Activities Briefing 170920.pptx
- Sydney Water, Subdivider / Developer Compliance Certificate, Case No. 184358, 20/05/20
- Service Agreement for Waste Management Services for NSW Office Assets, 16/03/16
- Letter from Mirvac to Suez Recycling & Recovery Pty Ltd, Extension of Waste Management Service Agreement NSW Office Assets, 16/04/18
- Local Pedestrian Cycling and Traffic Calming Committee, Meeting No 2020/02, Minutes, 19/03/20
- Emails between Mirvac and Philip Chun, SSD 8517 - Condition E20 (Service Vehicle Access Route), from 06/06/20 to 29/06/20
- Photo showing a No Parking zone
- Email from City of Sydney to Mirvac, Re: ATP SSD 7317 - Positive Covenant, 07/11/19

For a complete listing of communications, refer to the Audit Table in **Appendix A**.

## 4.2 Compliance Performance

The Auditors assessed the development to be compliant with SSD 8449 except for the following non-compliances. Refer to the Independent Audit Table (**Appendix A**) for full details of the identified non-compliances and compliance status of other conditions.

Key non-compliances with the conditions of SSD 8449 are noted in Table 1. Section 5.1 provides recommendations associated with each non-compliance below.

**Table 1: Summary of Non-compliances – SSD 8449**

NC#	Condition ID	Non-compliance
NC1	A13	Mirvac made three non-compliance notifications to the DPIE during the Audit Period. One of the notifications (11/03/20) was emailed to the DPIE 8 days after becoming aware of the non-compliances (03/03/20). Mirvac had notified the DPIE of the non-compliances on 03/03/20 but the earlier notification did not meet all of the requirements of Condition A14.
NC2	A16	Mirvac did not review strategies, plans and programs and notify DPIE of such, within 3 months of submission of Independent Audit Report 1 8449 (1/11/19); and approval of SSD 8449 MOD5 (Skylights) (20/11/19).

NC#	Condition ID	Non-compliance
NC3	A20	The 3rd and 4th instalments of the Long Service Levy were paid later than their due dates under the instalment plan.
NC4	C2	Mirvac did not notify DPIE in writing more than 48 hours in advance of the scheduled commencement of: <ul style="list-style-type: none"> <li>• Stage 3 – Structure works; and</li> <li>• Stage 4 – Services and Base Build Fit Out works.</li> </ul>
NC5	C5	Compliance reporting was considered non-compliant for the following reasons: <ul style="list-style-type: none"> <li>• The contents of the two compliance reports do not meet all of the Compliance Reporting Post Approval Requirements (Department 2018).</li> <li>• Compliance Report 2 did not refer to non-compliances that were notified during the reporting period and instead referred to non-compliances made during the previous reporting period (i.e. referred to in Compliance Report 1).</li> <li>• A table of previous report actions arising from a previous Independent Audit and Compliance Reports detailing progress made to address each action and the outcomes of each action was not included.</li> </ul>
NC6	C6	Construction compliance Report 1 was not made publicly available within 60 days of submission to DPIE. Also, the version of the Pre-Construction Compliance Report on the public website is still version 1, indicating that this non-compliance from the 2019 IEA has not been actioned.
NC7	D18	Storage areas for minor quantities of gases in cylinders were not kept clear of combustible materials for a distance of not less than 3 m (AS 4332-2004).
<b>Number of non-compliances identified:</b>		<b>7</b>
<b>Total number of compliance requirements:</b>		<b>153</b>

#### 4.3 Summary of Agency Notices, Orders, Penalty Notices or Prosecutions

No Agency Notices, Orders, Penalty Notices or Prosecutions have been issued in relation to the development.

#### 4.4 Previous Audit Recommendations

An Independent Audit of SSD 8449 was conducted in 2019. An assessment of progress on the recommendations made in the 2019 IEA is presented in Table 2.

**Table 2: Previous Audit Recommendations – SSD 8449**

Cond.	Audit Recommendation	Action
<b>Non-compliance recommendations</b>		
B9	Review and update the WMP to reflect current arrangements and ensure that it meets all the Condition B13 requirements.	The Mirvac Response to the 2019 IEA Report, dated 21/10/19 submitted to the DPIE noted that the WMP was being updated by JBS&G to address the non-compliance findings, and would be subsequently distributed to relevant personnel for implementation. The Auditors found that the revised WMP met all of the requirements.
C6	Update the development's public website to make available the latest version of the Pre-Construction Compliance Report. Ensure that DPIE are notified at least 7 days prior to updating or placing new Compliance Reports on the public website.	Mirvac noted in their Response to the 2019 IEA Report, dated 21/10/19, that Version 3 of the Pre-Construction Compliance Report would be placed on the projects' website on 21/10/19 and that DPIE had been notified of this on 11/10/19. The latest version of the Pre-Construction Compliance Report on the website is still version 1, indicating that this non-compliance from the 2019 IEA has not been actioned.
D19	Add the details of the Structural Engineer to either the existing site notices or as a separate notice displayed adjoining the existing notices.	The Auditors observed during the site visit on 17/9/20 that signs displaying details of the structural engineer, Arcadis, were displayed at the site entrances to the development.
<b>Opportunity for Improvement Recommendations</b>		
B2 and General	Review the compliance tracking process to ensure that all notification and reporting requirements and deadlines are captured.	Mirvac noted in their Response to the 2019 IEA Report dated 21/10/19, that the 'DA conditions tracking register' (i.e. "200916-C3_A16_Locomotive

Cond.	Audit Recommendation	Action
		<p>Workshop" spreadsheet) was updated to include a column showing the "Timing". However, the spreadsheet only relates to tracking C3 Access to Information and A16 Reviews and not all of the other notification and reporting requirements (e.g. B2 deadline for submitting documents to the DPIE; C1/C2 notification of commencement; C5/C6 deadlines; C8/C9 deadlines; E2 deadlines for submitting SAR/SAS). It does not adequately indicate what timing it relates to. It does not indicate the due dates for the various types of notifications and reporting deadlines, and it does not record the actual dates when the documents were made available on the project website.</p> <p>Given that there continue to be administrative non-compliances related to missed deadlines, the Auditors consider that the tracking register has not been effective in preventing these types of non-compliances.</p>
B10	Update the CPTMP to discuss: the cumulative impacts with other projects within the region, not just the ATP, including reference to other CPTMPs; and the consultation strategy, possibly with reference to the Community Liaison Group.	Mirvac noted in their Response to the 2019 IEA Report dated 21/10/19, that an update to the CPTMP was not required as no other developments were proposed in the local area that would be adversely impacted by the construction works; and that community consultation was addressed by the Community Communications Strategy and Community Liaison Group meetings. The response is considered acceptable by the Auditors.
C2	Track actual stage commencement dates and times, where relevant, such as in Mirvac's 'CC Programme' spreadsheet.	Mirvac noted in their Response to the IEA Report dated 21/10/19, that target dates for each construction certificate is tracked in a tracking register. Mirvac has recently included an additional column in the 'CC Programme' spreadsheet recording the required date for DPIE notification of commencement of works for each stage (i.e. at least 48 hours' notice) to trigger the need for this action. No further action is recommended.
C3	<p>Review and update the development's public website to ensure that:</p> <p>a) the following documents are made available:</p> <ul style="list-style-type: none"> <li>o All approved consent modifications;</li> <li>o Revised drawings referred to in consent modifications;</li> <li>o The Stage 2 HIP;</li> <li>o Revision 3 or the latest Pre-Construction Compliance Report;</li> <li>o Construction progress updates for the Locomotive Workshop; and</li> </ul> <p>b) all links are working correctly.</p> <p>Establish a process to ensure documents and information on the websites are kept up to date.</p>	<p>A check of the website confirmed this had been actioned with the exception of Revision 3 of the Pre-Construction Compliance Report (which is still Revision 1). Similarly, the latest version of the Waste Management Plan, Rev 3, is not available on the project's website.</p> <p>A DA condition tracking register ("200916-C3_A16_Locomotive Workshop" spreadsheet) is used to ensure any updates that are required to be uploaded to the website are done so within the timeframes of the relevant condition. The Auditors reviewed the tracking register and confirm that a column shows the required "Timing". However, it does not adequately indicate what timing it relates to and it does not record the actual dates when the documents were made available on the project website so it is not possible to verify that documents were uploaded within the required timeframe, where applicable (e.g. 60 days for C6 Compliance Reports). Nor is the version of listed documents provided so it is not possible to verify that the latest version has been uploaded.</p>
D7	Review the implementation of the waste classification and tracking requirements under the RAP to ensure adequate records are in place for the Site Audit process.	The EPA Accredited Site Auditor found that the remedial works were undertaken generally in accordance with the RAP. As such, the Auditors consider that the waste classification and tracking records must have been adequate for the purpose of the Site Audit.
D8 & D14	Confirm that ETS is an authorised agent, approved by the EPA to consign waste on behalf of a waste producer.	Mirvac noted in their Response to the 2019 IEA Report that they had sought confirmation that ETS was an authorised agent, approved by the EPA to consign waste on behalf of a waste producer. Mirvac advised that Australasian Technical Services (ATS) consigned the waste on behalf of the demolition

Cond.	Audit Recommendation	Action
		contractor (Hasserati) and that ETS has approval to act as an authorised agent and has an agreement in place with ATS.
D16	Review the Erosion and Sediment Control Plan and update if required to reflect the current sediment control measures. Ensure that the updated plan is approved, as required.	Mirvac noted in their Response to the 2019 IEA Report that the Sediment and Erosion Control Plan would be updated to reflect onsite arrangements and submitted to the PCA for approval. A later version of the plan was reviewed and found to be improved and more accurately reflect the control measures in relation to bunding that were in place at the time of the 2019 IEA.
D18	Verify the contents of the unlabelled IBC located in the eastern Work Zone; label it appropriately and, if necessary, relocate it to a bunded area.	Mirvac noted in their Response to the 2019 IEA Report that they had verified the contents of the IBC and it was labelled and relocated accordingly. The Auditors did not observe any hazardous chemicals that were not bunded or provided with secondary containment or not labelled during this Audit.

#### 4.5 EMP, Sub-plans and Post Approval Documents

Adequacy and compliance with the management plans, subplans and Post Approval documents (e.g. Compliance and Independent Audit Reports) relevant to the Audit Period were assessed. Management plans are considered to be adequate. Activities at the development during the Audit Period were considered to be generally consistent with the management plans and sub-plans listed in Section 4.1. The 2019 IEA and the Applicant's response were considered compliant. However, the construction Compliance Reports were found to not meet all of the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), as discussed in Table 1 and Table A (**Appendix A**).

#### 4.6 EMS

There is no project specific Environmental Management System (EMS) for the Locomotive Workshop development. The Auditors consider the various management plans noted in Section 4.5 to be generally appropriate for managing environmental matters.

#### 4.7 Environmental Performance

No significant environmental performance issues or non-compliances were identified. While a number of non-compliances have been identified, the Auditors note that the project is complex with multiple CCs across stages and sub-stages and that the non-compliances identified are largely administrative in nature with no direct impact on the environment. The environmental performance of the development during the Audit Period is considered to be adequate.

#### 4.8 Complaints

Mirvac maintains a complaints register that is updated monthly. Five complaints were recorded during the Audit Period. All complaints related to the existing tenant at Bay 14 that related to a leaking roof, requirement to notify the presence of workers prior to entry, noisy works and cut-off to communication fibre access.

#### 4.9 Incidents

No incidents requiring notification to the Department occurred during the Audit Period.

#### 4.10 Actual Versus Predicted Environmental Impacts

As mentioned in Section 4.9, there have been no significant or reportable environmental incidents during the Audit Period. The Auditors have not identified significant inconsistencies between actual environmental impacts and the predicted environmental impacts.

#### 4.11 Site Inspection

The Auditors carried out a site inspection on 17 September 2020 accompanied by Mirvac personnel and Mirvac's consultants referred to in Section 3.4. Photographs taken during the site visit are provided in **Appendix D**.

#### 4.12 Site Interviews

A meeting was held at the Mirvac office located in the South Eveleigh Precinct on the day of the site visit that involved the Auditors, Mirvac personnel and Mirvac's consultants referred to in Section 3.4. Information regarding the Project was provided, and documents and records were reviewed. Further information was later provided on request via email.

#### 4.13 Improvement Opportunities

Opportunities for improvement in relation to SSD 8449 have also been identified as shown in the following table. Refer to Section 5.2 for recommended actions. Refer to the Independent Audit Table (**Appendix A**) for full details.

**Table 3: Opportunities for Improvement – SSD 8449**

Condition	Opportunity for Improvement
General	As there continue to be administrative non-compliances related to various different missed deadlines, the Auditors consider that the 'DA conditions tracking register' has not been effective in preventing these types of non-compliances.
C2	Mirvac still does not have a method for tracking the actual commencement date for stages of work to allow for verification that the notification timeframe requirement has been met (i.e. 48 hours before date of commencement of physical work and operation) and the requirement to only commence work following the issue of the relevant CC.
C3	Mirvac uses a 'tracking register' to ensure updates to documents that are required to be uploaded to the website are done so within the required timeframes of the relevant condition. However, the single column/field showing "Timing" does not clearly indicate the various deadlines for uploading documents and notifying the DPIE in advance. Nor does the tracking register identify the document version so it is not possible to verify that the current version has been uploaded on the website without retrieving the document to physically check the version number against the website version.
C9	Mirvac does not record when documents are made publicly available on the project website and this information is not shown on the website. This would assist in verifying when documents such as 2019 Independent Audit Report were made publicly available.
D14	An empty 6 L pail of hazardous chemical and dangerous good (harmful and corrosive) was observed in a general/recyclable waste skip bin. It was not possible to verify whether this container held residue or had been cleaned. Empty containers that have held dangerous goods should not be disposed of as general waste unless they have been cleaned of residue.

#### 4.14 Key Strengths

The Auditors consider management of the development by Mirvac to continue to be of a generally good standard in relation to construction site management, its environmental performance and documents/records management. All of the requested information was readily provided. Recommendations have been made in Section 5.2 to further improve management systems and environmental performance.

## 5. RECOMMENDATIONS AND OPPORTUNITIES FOR IMPROVEMENT

### 5.1 Non-compliance recommendations

Table 4 provides a summary of the recommendations made in relation to non-compliances with SSD 8449.

**Table 4: Non-compliance Recommendations – SSD 8449**

NC#	Condition	Recommendation
NC1	A13	As the non-compliance has already been addressed, the Auditors make no further recommendation.
NC2	A16	That the '200916 - C3_A16_Locomotive Workshop.xlsx' spreadsheet be amended to record the document revision numbers, the dates when they were reviewed and the dates when DPIE were notified that they were reviewed.
NC3	A20	The Auditors recommend that the final instalment be paid prior to its due date, 01/01/21.
NC4	C2	The Auditors do not make a recommendation as this non-compliance was notified to the DPIE on 18/06/20. However, refer to Table 5, C1 & C2, for an opportunity to improve.
NC5	C5	It is recommended that Mirvac ensure that Compliance Report 3 meets all of the requirements of the Compliance Reporting Post Approval Requirements (Department 2018).
NC6	C6	The Auditors recommend that Mirvac implement a system of recording when documents are made publicly available and consider how to ensure that Compliance Reports are made publicly available within the required timeframe (i.e. within 60 days of submission to DPIE and at least 7 days after notifying DPIE that they were to be made publicly available) and that the DPIE are notified accordingly. The Auditors also recommend that the latest version of the Pre-Construction Compliance Report be made available on the public website.
NC7	D18	The Auditors recommend that the storage of gas cylinders be improved to ensure 3 m separation from combustible materials.

### 5.2 Opportunity for Improvement Recommendations

Table 5 provides a summary of the additional continual improvement recommendations identified for SSD 8449 as part of this Audit. Specific details are included in Appendix A.

**Table 5: Opportunity for Improvement Recommendations – SSD 8449**

Condition	Recommendation
General	The Auditors recommend that Mirvac review the compliance tracking process to ensure that all notification and reporting requirements and deadlines are captured.
C2	The CC Program tracking spreadsheet could be further improved to clarify the various dates and include actual dates of commencement of construction work and the date that DPIE were notified in order to demonstrate compliance. The Auditors recommend that Mirvac ensure that DPIE are notified of the intended commencement of operation / occupation for the tenancy area(s) 48 hours in advance of actual operation / occupation. The Auditors recommend that the IOC Program tracking spreadsheet could be further improved in the same way as the CC Program tracking spreadsheet to include the actual dates of commencement of operation / occupation and the date that DPIE were notified in order to demonstrate compliance.
C3	The Auditors recommend that Mirvac establish a process to ensure documents and information on the websites are kept up to date. It is recommended that Mirvac include the version number for the listed documents within the tracking register to ensure that up to date information has been uploaded. The document submission date (on which the upload deadline usually hinges), the notification deadline and upload deadline could also be included.
C9	The Auditors recommend that Mirvac implement a system of recording when documents are made publicly available.

D14	The Auditors recommend that Mirvac review control measures for disposal of chemical containers and reinforce the requirements with their contractors, as required.
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## 6. CONCLUSIONS

The Auditors assessed the development to be generally compliant with the conditions of approval in SSD 8449, particularly in relation to its environmental performance. Seven non-compliances were identified, of which three had already been notified by Mirvac to DPIE. Six of the non-compliances are considered to be administrative in nature and have not resulted in a direct impact on the environment. One non-compliance is a non-compliance from the 2019 IEA that has not been actioned.

Management systems and environmental performance are considered to be of a generally high standard. However, given the number of administrative non-compliances related to missing reporting and notification deadlines, it is considered that the management system for ensuring reporting and notification compliance can be further improved. Five opportunities for improvement have been identified.

## **APPENDIX A INDEPENDENT AUDIT TABLE**



<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
<b>Schedule 2 – PART A ADMINISTRATIVE CONDITIONS</b>					
<b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b>					
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.	<ul style="list-style-type: none"> <li>Email from Mirvac (Nathan McCoy, Trainee Development Manager), on 25/09/2020.</li> <li>Audit Findings Action Plan – ATP Building 1, prepared by Mirvac, 20/03/2020.</li> <li>Electrical Safety Inspection of Locomotive Workshops, prepared by NECA, 19/05/2020.</li> <li>Locomotive Audit Tool for HSE – completed audit, prepared by Mirvac, 10/12/2019.</li> </ul>	<p>Mirvac advised that it continues to implement an audit program to monitor and ensure compliance with site specific environmental management plans and minimise environmental harm. These audits included:</p> <ul style="list-style-type: none"> <li>Critical Focus Audits (internal audit) conducted every 3 months for a specific focus area. For the audit period, five audits were conducted (e.g. for plant operations, people and plant interactions, powered hand tools, emergency preparedness, environmental management).</li> <li>Full internal audits every 12 months covering all focus areas. One audit was conducted on 10 December 2019.</li> <li>External audits every 6 months. Two audits were conducted on 20 March 2020 (by HSE Support P/L) and 11 May 2020 (by NECA).</li> </ul>	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
<b>TERMS OF CONSENT</b>					
A2 (as modified, SSD 8449 MODs 3, 4, 5, 7, 9 and 10)	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) generally in accordance with the EIS and Response to Submissions; (d) in accordance with the approved plans in the table below (refer to Table provided in Modification 10).	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020</li> <li>Modification of Development Consent for SSD 8449 (MOD 4, 5, 6, 7, 9 and 10), Condition A2, dated 19/02/2020, 20/11/2019, 05/02/2020, 09/06/2020 and 02/09/2020</li> </ul>	<p>The following information and/or documentation was provided to confirm the development has been carried out as required, in particular:</p> <ul style="list-style-type: none"> <li>A compliance tracking register against Consent Conditions is maintained by the Principal Certifying Authority (PCA), Philip Chun &amp; Associates. The PCA will not issue a Construction Certificate unless all relevant conditions are compliant. Mirvac advised the development has not received any non-compliances from the PCA and has been issued construction certificates for Stages 3 and 4 for SSD8449 and SSD8517. Construction Certificates for modified stages (i.e. sub-stages within Stages) were also issued including for: <ul style="list-style-type: none"> <li>SSD 8517 comprising Stage 2A (i.e. CC2A), Stage 3A (i.e. CC3A), Stage 4A (i.e. CC4A, CC4B) and Stage 5A (i.e. CC5A).</li> <li>SSD 8449 comprising Stage 5A (i.e. CC5A).</li> </ul> </li> <li>Mirvac advised written directions from the Planning Secretary have only occurred where modifications to the Consent have been requested by Mirvac since the conduct of the last IEA and for compliance reports to be uploaded to the Major Projects portal. The modifications to the Consent and associated communications were provided for review.</li> <li>Based on the Auditors observations, Mirvac are carrying out the development in accordance with this condition.</li> </ul>	Compliant	
A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or	<ul style="list-style-type: none"> <li>As for Condition A2.</li> </ul>	As noted for Condition A2, the Planning Secretary has only made written directions to Mirvac where modifications to the Consent has occurred since the conduct of the last IEA and for compliance reports to be uploaded to the Major Projects portal. In such instances, Mirvac has responded and complied with the written directions.	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	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) above.				
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.		No inconsistency between the documents listed in condition A2 was identified by the Auditors.	Not triggered	
<b>EVIDENCE OF CONSULTATION</b>					
A5	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	<ul style="list-style-type: none"> <li>Refer to relevant Conditions as listed in findings column.</li> </ul>	Consultation had been carried out as required by the following conditions during the Audit Period: <ul style="list-style-type: none"> <li>B31 Detailed Design Information (Heritage NSW and Council)</li> <li>E10 Work Place Travel Plan (TfNSW)</li> <li>E18 Loading Dock Management Plan</li> </ul>	Compliant	

Table A: Compliance with SSD 8449					
APPROVAL (ID)	REQUIREMENT	EVIDENCE COLLECTED	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
	(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.				
STRUCTURAL ADEQUACY					
A6	<p>All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>Under Part 4A of the EP&amp;A Act, the Applicant is required to obtain construction and Occupation Certificates for the proposed building works.</li> <li>Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the development.</li> </ul>	<ul style="list-style-type: none"> <li>Construction Certificate No. 17-209159_CC3_SSD844 9_Stage 3_Structure (excl Bay 15), with attachments, Philip Chun, 04/03/20;</li> <li>Construction Certificate No. 17-209159_CC4_SSD844 9_Stage 4 Architectural + Services (Bays 5 to 13), with attachments, Philip Chun, 21/07/20;</li> <li>Construction Certificate NO. 17-209159_CC5a_SSD84 49_Stage 5a_Skylights + Louvre (Bays 5-13), with attachment, Philip Chun, 11/02/20.</li> </ul>	<p>Certificates of Construction CC1, CC2, CC2A and CC5 were issued by the PCA in the previous audit period. The following Certificates issued during this Audit Period: CC3, CC4 and CC5A.</p> <p>The Construction Certificates include attachment documents, including a Design Compliance Certificate issued by the Structural Engineer (Arcadis) certifying that the design of the building components is in accordance with the design requirements in order to meet at least the minimum applicable Building Code of Australia requirement, and the relevant Australian Standards. The Structural Engineer's Design Compliance Certificates were attached to either the subject construction certificate or to a prior stage certificate.</p>	Compliant	
OPERATION OF PLANT AND EQUIPMENT					
A7	<p>All plant and equipment used on site, or to monitor the performance of the development must be:</p> <p>(a) maintained in a proper and efficient condition; and</p>	<ul style="list-style-type: none"> <li>Interview of Mirvac Senior HSE Officer (John Tsaousidis) &amp; Senior Site Manager (Warren Henson), 17/09/2020</li> </ul>	<p>Mirvac continues to maintain an online HSE Management System, 'Hammertech', that includes an online register for onsite plant. The system is accessible to Mirvac employees and contractors, and contractors update the register whenever plant and equipment is brought on or taken off site. The plant and equipment</p>	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	(b) operated in a proper and efficient manner.	<ul style="list-style-type: none"> <li>Maintenance Logbook for: <ul style="list-style-type: none"> <li>EWP</li> </ul> </li> <li>Equipment service record for forklift, serial no. CT17D-69220</li> </ul>	<p>register records the date of last service and sends out notifications for inspections/ service that fall due (e.g. 90-day inspection). As the majority of plant and equipment used at the site are the responsibility of the relevant contractor, service due date reminders are sent to the relevant contractor.</p> <p>Daily plant and equipment checks continue to be carried out. Examples of daily pre-op check records were sighted by the Auditors on the Hammertech system. Working plant (e.g. cranes, forklifts) were observed to be operating at the time of the site visit and they appeared to be operated in a proper and efficient manner.</p>		
<b>APPLICABILITY OF GUIDELINES</b>					
A8	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.		Noted	Noted	
A9	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.	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020</li> </ul>	The Planning Secretary has not requested updated or revised versions of the referenced documents to be used.	Not triggered	
<b>MONITORING AND ENVIRONMENTAL AUDITS</b>					
A10	Any condition of this consent that requires the carrying out of			Noted	

Table A: Compliance with SSD 8449					
APPROVAL (ID)	REQUIREMENT	EVIDENCE COLLECTED	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
	<p>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&amp;A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification and independent auditing.</p> <p><i>Note: For the purposes of this condition, as set out in the EP&amp;A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i></p>				
INCIDENT NOTIFICATION, REPORTING AND RESPONSE					
A11	<p>The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number</p>		<p>No incidents have occurred to date. Therefore, Mirvac has not needed to notify DPIE of an incident.</p>	Not triggered	

Table A: Compliance with SSD 8449					
APPROVAL (ID)	REQUIREMENT	EVIDENCE COLLECTED	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
	and the name of the development if it has one) and set out the location and nature of the incident.				
A12	Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1.			Noted	
NON-COMPLIANCE NOTIFICATION					
A13	The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within seven days after the Applicant becomes aware of any non-compliance. The PCA must also notify the Department in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within seven days after they identify any non-compliance.	<ul style="list-style-type: none"> <li>Letter from Mirvac to DPIE dated 11/10/19, Re. Locomotive Workshops - SSD 8517 (Bays 1-4a) – Condition A13 and SSD 8449 (Bays 5-15)</li> <li>Condition A13 Non-compliance Notification</li> <li>Letter from Mirvac to DPIE dated 3/3/20, Re. Locomotive Workshops - SSD 8517 (Bays 1-4a) – Condition A16 and SSD 8449 (Bays 5-15)</li> <li>Condition A16 Revisions of Strategies, Plans and Programs</li> <li>Letter from Mirvac to DPIE dated 11/03/20, Re. Locomotive Workshops - SSD 8517 (Bays 1-4a) – Condition A13 and SSD 8449 (Bays 5-15)</li> </ul>	<p>Mirvac have notified DPIE of non-compliances on three occasions on 11/10/19; 11/03/20; and 18/06/20. In the case of the October 2019 and June 2020 notifications, they were raised within the required 7 days of becoming aware of the non-compliances.</p> <p>The March 2020 notification was formally emailed to DPIE 8 days after becoming aware of the non-compliance on 03/03/20. Mirvac had notified DPIE of the non-compliances on 03/03/20 but it did not meet all of the requirements of Condition A14 (actions taken to address the non-compliance).</p> <p>On the basis of the above, this Condition is considered to be non-compliant. As the non-compliance has already been addressed, the Auditors make no further recommendation.</p>	Non-compliant	NC1

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
		Condition A13 Non-compliance Notification <ul style="list-style-type: none"> <li>Letter email from Mirvac to DPIE dated 18/06/20, Re. Locomotive Workshops - SSD 8517 (Bays 1-4a) – Condition A13 and SSD 8449 (Bays 5-15) Condition A13 Non-Compliance Notification</li> </ul>			
A14	The 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.	<ul style="list-style-type: none"> <li>As above</li> </ul>	Notifications met the requirements of Condition A14.	Compliant	
A15	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.		No incidents have been notified.	Noted	
<b>REVISION OF STRATEGIES, PLANS AND PROGRAMS</b>					
A16	Within three months of: (a) the submission of a Compliance Report under condition C5; (b) the submission of an incident report under condition A11; (c) the submission of an Independent Audit under condition C8;	<ul style="list-style-type: none"> <li>Letter from Mirvac to DPIE dated 03/03/20, Re. Locomotive Workshops - SSD 8517 (Bays 1-4a) – Condition A16 and SSD 8449 (Bays 5-15) Condition A16</li> </ul>	Mirvac did not review strategies, plans and programs and notify DPIE of such, within 3 months of submission of Independent Audit Report 1 SSD 8449 (01/11/19) or approval of SSD 8449 MOD5 (Skylights) (20/11/19). The letter dated 03/03/20 served to notify DPIE that they were undertaking a review of Independent Audit Report 1 SSD 8449 and SSD 8449 MOD5 (Skylights).	Non-compliant	NC2



<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	(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 A3 which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.	Revisions of Strategies, Plans and Programs	Mirvac's Excel spreadsheet '200916 - C3_A16_Locomotive Workshop.xlsx' indicates when strategies, plans and programs are made "Available" but does not record the revision numbers or when they were reviewed or when DPIE was notified that they were reviewed. It is recommended that the '200916 - C3_A16_Locomotive Workshop.xlsx' spreadsheet be amended to record the document revision numbers, the dates when they were reviewed and the dates when DPIE was notified that they were reviewed.		
A17	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. <i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</i>		The Waste Management Plan was revised in accordance with recommendations from the first IEA. There was no identified requirement to revise the strategies, plans and programs arising from a need to improve environmental performance, to cater for a modification or comply with a direction.	Not triggered	
<b>LIMITS OF CONSENT</b>					
A18	This consent will lapse five years from the date of consent unless the works associated with the project have physically commenced.	<ul style="list-style-type: none"> <li>2019 IEA.</li> </ul>	Works had physically commenced in the prior audit period.	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
A19	<p>This consent does not approve the following components of the development:</p> <p>(a) operation and fit out of all tenancies within Bays 5-7 at ground floor and level 1</p> <p>(b) operation and fit out of all tenancies in Bays 8-13 at ground floor and level 1</p> <p>(c) operation and fit out of all tenancies in Bay 15 at ground floor, level 1 and level 2</p> <p>(d) operation and fit out of the retail annexes adjacent to Bays 8, 9 and 10</p> <p>(e) hours of operation of all retail tenancies</p> <p>(f) detailed signage design, content and illumination (if proposed) within all approved signage zones. Future approval for these elements is to ensure that the detailed signage design, content and illumination (if proposed) is sensitive to the heritage significance of the building</p> <p>Where required, separate approval(s) shall be obtained from the relevant consent authority.</p>	<ul style="list-style-type: none"> <li>City of Sydney, Notice of Determination – Approval, Application No: D/2019/1492, Acuity Project Management Pty Ltd, 2/4/20</li> <li>City of Sydney, Notice of Determination – Approval, Application No: D/2020/11, Acuity Project Management Pty Ltd, 3/4/20</li> <li>City of Sydney, Notice of Determination – Approval, Application No: D/2020/316, Robinson Urban Planning Pty Ltd, 11/6/20</li> </ul>	Examples of City of Sydney Approvals for a number of tenancy fitouts and uses within of Bays 5-15 were sighted.	Compliant	
A20	<p>Prior to the issue of the Construction Certificate for each stage of the development, a Long Service Levy is required to be paid. For further information please contact the Long Service Payments</p>	<ul style="list-style-type: none"> <li>Letter from Long Service Corporation to Mirvac, Re. Revised Approval to Pay Levy by Instalments, 02/04/19</li> </ul>	<p>The Long Service Corporation approved a revision of the instalment plan for SSD 8449 with a schedule of instalments over the life of the project.</p> <p>The 3<sup>rd</sup> and 4<sup>th</sup> instalments were paid on 02/03/20 and 19/08/20, respectively, which was after their due dates (01/03/20 and 01/08/20, respectively). This condition</p>	Non-compliant	NC3

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	Corporation on their Helpline 13 1441.	<ul style="list-style-type: none"> <li>Levy Receipt, 00378189, 29/04/19 (1<sup>st</sup> instalment)</li> <li>Levy Receipt, 00397592, 20/09/19 (2<sup>nd</sup> instalment)</li> <li>Levy Receipt, 00416640, 02/03/20 (3<sup>rd</sup> instalment)</li> <li>Levy Receipt, 00438744, 19/08/20 (4<sup>th</sup> instalment)</li> </ul>	is considered to be an administrative non-compliance due to the late levy payments. The Auditors recommend that the final instalment be paid prior to its due date, 01/01/21.		
<b>REDFERN-WATERLOO AUTHORITY CONTRIBUTIONS PLAN 2006</b>					
A21	Contributions will be required based on the Redfern-Waterloo Authority Contributions Plan 2006. The levy is to be calculated as 2% of the proposed cost of development, indexed between the date of determination and the date the levy is required to be paid in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 and clause 10 of Redfern-Waterloo Authority Contributions Plan 2006. Pursuant to the Redfern-Waterloo Authority Contributions Plan 2006, a contribution amount of \$1,949,640 plus indexation between the date of approval and date of payment, in accordance with Consumer Price Index (All Groups Index) for Sydney, is to be paid via bank cheque or alternate		Assessed as compliant in the 2019 IEA. Not applicable for the Audit Period.	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<p>payment method for deposit into the Redfern- Waterloo Fund (towards the cost of one or more of the public facilities set out in the Works Schedule to that Plan). Proof of payment of this contribution to the UGDC shall be provided to the Certifying Authority prior to the issue of the first Construction Certificate (or other timing in accordance with the Contributions Plan). If the amount is not to be paid prior to the first Construction Certificate, written verification of this should be provided by UrbanGrowth NSW Development Corporation and provided to the Certifier. No deferred or periodic payments are permitted.</p> <p>Email <a href="mailto:info@ugdc.nsw.gov.au">info@ugdc.nsw.gov.au</a> or phone 9216 5700 to confirm indexed amount of the contribution, prior to preparation of a bank cheque or finalisation of any agreed alternate payment method made out to the UrbanGrowth NSW Development Corporation.</p> <p>A copy of Redfern-Waterloo Authority Contributions Plan 2006 is available for inspection at the offices of UGDC, Level 12, MLC Centre, 19 Martin Place Sydney or from the website <a href="http://www.ugdc.nsw.gov.au">www.ugdc.nsw.gov.au</a></p>				

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
<b>REDFERN-WATERLOO AUTHORITY AFFORDABLE HOUSING CONTRIBUTIONS PLAN 2006</b>					
A22	<p>To contribute to the provision or refurbishment of affordable housing within the Redfern-Waterloo Operational Area, contributions are required in accordance with the Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006.</p> <p>In accordance with Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006, the levy is 1.25% of the additional total gross floor area (GFA) of the proposed development and is calculated at \$86.88 per square metre (being the rate at 1 July 2018). Between the date of determination and the date the levy is required to be paid, the levy is indexed in accordance with the Building Price Index, Sydney as published in Rawlinson's Australian Construction Handbook. This is in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 and Clause 9 of the Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006.</p> <p>Pursuant to the Redfern-Waterloo Affordable Contributions Plan 2006, a contribution in the amount of \$367,416 plus indexation in accordance with the Building Price</p>		Assessed as compliant in the 2019 IEA. Not applicable for the Audit Period.	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<p>Index is to be paid via bank cheque or alternate payment method into the Redfern-Waterloo Fund (towards the provision of affordable housing within the Redfern Waterloo area). Proof of payment of this contribution to the UGDC and calculation of any indexing, shall be provided to the Certifying Authority prior to the issue of the first Construction Certificate. No deferred or periodic payments are permitted.</p> <p>Email <a href="mailto:info@ugdc.nsw.gov.au">info@ugdc.nsw.gov.au</a> or phone 9216 5700 to confirm indexed amount of the contribution, prior to preparation of a bank cheque or finalisation of any agreed alternate payment method made out to the UrbanGrowth NSW Development Corporation.</p> <p>A copy of Redfern-Waterloo Affordable Housing Contributions Plan 2006 is available on the website <a href="http://www.ugdc.nsw.gov.au">www.ugdc.nsw.gov.au</a>.</p>				
<b>STAGING</b>					
A23	<p>The development may be carried out generally in accordance with the following stages. A Construction Certificate may be obtained for each of the following stages, subject to satisfaction of the</p>	<ul style="list-style-type: none"> <li>Construction Certificates issued by Philip Chun &amp; Associates for:             <ul style="list-style-type: none"> <li>Stage 3 Structure works only (excl</li> </ul> </li> </ul>	<p>The development continues to be carried out in stages as described in the Consent (as modified). Mirvac provided Construction Certificates for Stages 3, 4 and 5a (issued during the Audit Period) to confirm the relevant conditions have been met to the satisfaction of the PCA.</p>	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	relevant condition(s) (refer to Table provided in the Consent)	Bay 15), endorsed 04/03/20; o Stage 4 Architectural and Services only (Bays 5 to 13), endorsed 21/07/20; o Stage 5a Skylights and Louvre works only (Bays 5-13), endorsed 11/02/20.			
<b>PART B PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE</b>					
<b>EXTERNAL WALLS AND CLADDING</b>					
B1	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.		This condition was noted as compliant during the previous audit. Construction Certificates issued during the Audit Period did not involve changes to external walls.	Not triggered	
B2	Before the issue of the Stage 5 Construction Certificate (for Bays 5-15) and the first Occupation Certificate for the Locomotive Workshop, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA. The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.		This condition was reported as non-compliant in the 2019 IEA due to not meeting the 7-day timeframe for submission of CC5 documentation to the DPIE. No further action was recommended. An occupation certificate for SSD 8449 has not yet been issued so this condition has not been triggered in the Audit Period.	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
<b>NO WORKS PRIOR TO CONSTRUCTION CERTIFICATE</b>					
B3	Work must not commence until a relevant Construction Certificate has been issued.	<ul style="list-style-type: none"> <li>Construction Certificate No. 17-209159_CC3_SSD844 9_Stage 3_Structure, 04/03/20</li> <li>Construction Certificate No. 17-209159_CC4_SSD844 9_Stage 4_Architectural+Services, 21/07/20</li> <li>Email letter from Mirvac to DPIE re. Locomotive Workshops - SSD 8517 (Bays 1-4a) - Condition A13 and SSD 8449 (Bays 5-15) Condition A13 Non-Compliance Notification, 18/06/20</li> <li>Email letter from Mirvac to DPIE re. SSD 8449 (Bays 5-15) - Condition A13 (Non-Compliance Notification), 07/09/20</li> </ul>	<p>CC3 – Structure was issued 04/03/20. Mirvac notified DPIE that Stage 3 commenced on 05/03/20.</p> <p>CC4 – Base Build Fitout / Services was issued 21/07/20. Mirvac notified DPIE that Stage 4 commenced on 22/07/20.</p> <p>Mirvac does not currently have a method for tracking actual commencement dates. Therefore, the Auditors cannot verify that work only commenced following issue of the relevant CC. However, it is understood that work does not commence until the relevant CC has been received (posted on Aconex by the Certifying Authority) and there is no evidence that work commenced prior to the issue of the relevant CC. On this basis, the Auditors consider this Condition to be compliant.</p>	Compliant	
<b>BICYCLE PARKING</b>					
B4	A minimum of 215 employee / staff bicycle parking spaces shall be provided in Bay 15.		Mirvac advised that this condition has not been triggered yet, as relevant to CC4A, although the information has been provided to the PCA.	Not triggered	
B5	The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of		Mirvac advised that this condition has not been triggered yet, as relevant to CC4A, although the information has been provided to the PCA.	Not triggered	



<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	Australian Standard AS 2890.3 – 2015.				
<b>COMMUNITY LIAISON GROUP</b>					
B6	The Community Liaison Group established under SSD 7317 is to be used for SSD 8449, to ensure that the community is kept informed and has an opportunity to feedback on the construction of the Locomotive Workshop. A heritage consultant/s and or heritage expert/s must also form part of the Community Liaison Group. All complaints are to be recorded on a complaint register and reported regularly to the Community Liaison Group.	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020</li> <li>Complaints Register, August 2020</li> </ul>	<p>Curio Projects continue to be engaged as Mirvac's heritage consultant and are a member of the Community Liaison Group. A CLG presentation (meeting #32) was provided to demonstrate regular meetings were held.</p> <p>The Complaints Register is updated monthly with the August 2020 register containing five complaints during the Audit Period. These complaints related to the noisy works period, a leaking roof in Bay 14, requirement to provide notification of the presence of workers to tenants prior to entry, noisy works at Bay 15 and cut-off of communications fibre access to Bay 14 tenant. All complaints were made by Post Op, the existing tenant of Bay 14.</p> <p>A complaint was made on 11/9/20 by the tenant at Bay 14 relating to noisy works which the Project Manager has responded to. This complaint will be included on the September Complaints Register.</p>	Compliant	
<b>CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN</b>					
B7	Prior to the issue of the relevant Construction Certificate, a detailed Construction Noise and Vibration Management Plan (CNVMP) prepared by a suitably qualified person shall be submitted to the Certifying Authority. The Plan shall include, but not be limited to: (a) identification of each work area, site compound and access route (both private and public)	<ul style="list-style-type: none"> <li>PCA Matrix prepared by Philip Chun for various Construction Certificates (e.g. 17-2019159_LOCO_Retail_SSD8449_PCAMatrix_Rev5_11022020, 17-2019159_LOCO_Retail_SSD8449_PCAMatrix_Rev7_21072020)</li> </ul>	This condition was reported as compliant in the 2019 IEA. The CNVMP has not been amended since the previous audit and thus has not required re-submission to the PCA. The Auditors reviewed a sample of the PCA Development Consent Matrices (e.g. CC4a, 4b and 5a (for SSD 8517) and CC4 and 5a (for SSD 8449)) to verify the PCA's noted compliance status against this condition and find that this condition had been satisfied and closed off by the PCA.	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	(b) identification of the specific activities that will be carried out and associated noise sources at the premises and access routes (c) identification of all potentially affected sensitive receivers (d) the construction noise objectives identified in accordance with the Interim Construction Noise Guidelines (DECC 2009) (e) assessment of potential noise and vibration from the proposed construction methods (including noise from construction traffic) against the objectives identified in (d) (f) where the objectives are predicted to exceed an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise impacts (g) description of management methods and procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during construction, including the early erection of operational noise control barriers (h) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity				

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	(i) measures to monitor noise performance and respond to complaints (j) effective site induction, and ongoing training and awareness measures for personnel (e.g. tool box talks, meetings etc).				
<b>AIR QUALITY MANAGEMENT PLAN</b>					
B8	<p>Prior to the issue of the relevant Construction Certificate, an Air Quality Management Plan (AQMP) must be prepared for the project and approved by the PCA. It must be prepared by a suitably qualified and experienced expert in accordance with the EPA's Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (the Approved Methods). The AQMP must be implemented and must include, as a minimum:</p> <p>(a) contain relevant environmental criteria to be used in the day-to-day management of dust and volatile organic compounds (VOC/odour), including consideration of any contaminated materials;</p> <p>(b) contain a mission statement;</p> <p>(c) contain dust and VOCs/odour management strategies consisting of</p> <p>(i) objectives and targets;</p> <p>(ii) risk assessment;</p> <p>(iii) suppression improvement plan.</p>	<ul style="list-style-type: none"> <li>PCA Matrix prepared by Philip Chun for various Construction Certificates (e.g. 17-2019159_LOCO_Retail_SSD8449_PCAMatrix_Rev5_11022020, 17-2019159_LOCO_Retail_SSD8449_PCAMatrix_Rev7_21072020)</li> </ul>	<p>This condition was reported as compliant in the 2019 IEA. The AQMP has not been amended since the previous audit and thus has not required re-submission to the PCA. The Auditors reviewed a sample of the PCA Development Consent Matrices (e.g. CC4a, 4b and 5a (for SSD 8517) and CC4 and 5a (for SSD 8449)) to verify the PCA's noted compliance status for this condition, and find that this condition had been satisfied and closed off by the PCA.</p>	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<p>(d) set out monitoring requirements including assigning responsibility (for all employees and contractors);</p> <p>(e) contain a communication strategy; and</p> <p>(f) include a performance review system for continuous improvements.</p> <p>The Plan must detail management practices to be implemented for all dust and VOC/odour sources at the site. The Plan must also detail the dust, odour, VOC and semi-volatile organic compounds (SVOC) monitoring program (eg frequency, duration and method of monitoring) to be undertaken for the project, taking into particular consideration potential contaminated materials.</p>				
<b>CONSTRUCTION WASTE MANAGEMENT PLAN</b>					
B9	<p>Prior to the issue of the relevant Construction Certificate, a Waste Management Plan must be developed for the project by a suitably qualified person and approved by the PCA. The Plan must be implemented and must include, as a minimum, the following elements:</p> <p>(a) A Stockpile, Contamination Soil and Sediment Management Plan including:</p> <p>(i) the exact locations where contaminated waste material (including Acid Sulphate Soils if</p>	<ul style="list-style-type: none"> <li>Aconex Memorandum from Philip Chun to Mirvac, Re: Condition B13 (SSD 8517) / B10 (SSD 8449) - Construction Waste Management Plan - CC01, 25/2/2019</li> <li>Waste Management Plan, 51142/120518 Rev 2, JBS&amp;G Australia Pty Ltd, 7 February 2019</li> <li>Waste Management Plan, 51142/125177</li> </ul>	<p>The 2019 IEA found that the Waste Management Plan (WMP), 51142/120518 Rev 2, did not meet all of the requirements of Condition B13. The WMP was subsequently revised (51142/125177 Rev 3) and is considered to adequately meet all of the requirements.</p>	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<p>found) and non-contaminated waste material will be stockpiled. Contaminated and non-contaminated waste material must be stockpiled separately and the designated areas must be clearly marked and labelled (on plans and on the ground);</p> <p>(ii) details of how the stockpiled waste material will be kept separate from non-contaminated waste material;</p> <p>(iii) procedures for minimising the movement of waste material around the site and double handling; and</p> <p>(iv) additional information detailing how materials proposed to be recycled/reused will be segregated on the site during operations. Particularly in relation to those wastes categorised as 'Building' waste.</p> <p>(b) A detailed plan for in-situ classification of waste material, including the sampling locations and sampling regime that will be employed to classify the waste, particularly with regards to the identification of contamination hotspots.</p> <p>(c) A commitment to retaining all sampling and classification results for the life of the project to</p>	Rev 3, JBS&G Australia Pty Ltd, 21/10/19			

<b>Table A: Compliance with SSD 8449</b>					
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	<p>demonstrate compliance with the EPA's Classification Guidelines.</p> <p>(d) Details in relation to the transport of waste material around the site (on-site) and from the site, including (at a minimum):</p> <p>(i) a traffic plan showing transport routes within the site;</p> <p>(ii) location of stockpiles at each stage as they migrate within the site;</p> <p>(iii) a commitment to retain waste transport details for the life of the project to demonstrate compliance with the Protection of the Environment Operations Act 1997; and</p> <p>(iv) the name and address of each licensed facility that will receive waste from the subject site (if appropriate).</p> <p>(e) A contingency plan for any event that may affect excavation and contaminated soil treatment operations at the site.</p>				
<b>CONSTRUCTION PEDESTRIAN AND TRAFFIC MANAGEMENT PLAN</b>					
B10	<p>Prior to the issue of the relevant Construction Certificate, a Construction Pedestrian and Traffic Management Plan (CPTMP) must be prepared by a suitably qualified person in consultation with the CBD Coordination Office of TfNSW and Council. A final copy of the plan is to be submitted to the Coordinator</p>	<ul style="list-style-type: none"> <li>Mirvac, Mirvac Response to Independent Environmental Audit, SSD 8517 Locomotive Workshop – Bays 1-4A, October 2019, 21/10/19</li> </ul>	<p>This Condition was reported compliant in the 2019 IEA with a recommendation to update the CPTMP in relation to cumulative impacts. Mirvac did not update the CPTMP on the basis that there were reportedly no proposed developments within the local area and therefore cumulative impacts were not discussed in relation to other developments. Mirvac considered that the CPTMP adequately addressed consultation with stakeholders in combination with the Community</p>	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<p>General, Transport Coordination for endorsement, prior to the commencement of any works. The Plan must include a Green Travel Plan for construction workers and detailed measures that would be implemented to minimise the impact of the development on the safety and capacity of the surrounding road network, minimise truck movements to and from the site as far as practicable during the peak periods of this consent. In addition, the CPTMP shall address, but not be limited to, the following matters:</p> <ul style="list-style-type: none"> <li>(a) location of the proposed work zone</li> <li>(b) haulage routes</li> <li>(c) construction vehicle access arrangements</li> <li>(d) estimated number of construction vehicle movements</li> <li>(e) construction program</li> <li>(f) consultation strategy for liaison with surrounding stakeholders</li> <li>(g) any potential impacts to general traffic, pedestrians and bus services within the vicinity of the site from construction vehicles during construction</li> <li>(h) cumulative construction impacts of projects including Sydney Metro City and South West. Existing CPTMPs for developments within or</li> </ul>		<p>Communications Strategy and meetings of the Community Liaison Group.</p>		

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<p>around the development site should be referenced to ensure that coordination of work activities is managed to minimise impacts on the road network</p> <p>(i) should impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified</p> <p>(j) include the builder's direct contact number to small businesses adjoining or impacted by the construction work, the Transport Management Centre and Sydney Coordination Office within TfNSW to resolve issues relating to traffic, freight, servicing and pedestrian access during construction in real time</p> <p>(k) parking arrangements for construction workers and sub-contractors, and any measures proposed to avoid parking in the streets in the local area</p> <p>(l) pedestrian/cyclist and traffic management measures.</p>				
<b>PRE-CONSTRUCTION DILAPIDATION REPORT</b>					
B11 (as modified, SSD 8449 MOD 6)	The Applicant is to engage a suitably qualified person to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all adjoining buildings, infrastructure and roads	<ul style="list-style-type: none"> <li>Interview with Mirvac personnel, 17/09/2020.</li> </ul>	This Condition was reported as compliant in the 2019 IEA. The Auditors understand that no damage to the public way has occurred during the Audit Period.	Not triggered	



<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<p>(including the public domain site frontages, the footpath, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs, and all other existing infrastructure along the street) within the 'zone of influence'. Any entry into private land is subject to the consent of the owner(s) and any inspection of buildings on privately affected land shall include details of the whole building where only part of the building may fall within the 'zone of influence'. The report shall be approved by the PCA prior to the issue of the Stage 2 Construction Certificate. A copy of the report is to be forwarded to each of the affected property owners.</p> <p>In the event that access for undertaking a Pre-Construction Dilapidation Report is denied by an adjoining owner, the Applicant must demonstrate, in writing, to the satisfaction of the PCA that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the report and that these steps have failed.</p> <p>Any damage to the public way including trees, footpaths, kerbs,</p>				

<b>Table A: Compliance with SSD 8449</b>					
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	gutters, road carriageway and the like must be made safe and functional by the Applicant. Damage must be fully rectified by the Applicant in accordance with the Council's standards prior to commencement of the first use of the commercial bays (Bay 5-15) of the Locomotive Workshop.				
<b>MECHANICAL VENTILATION</b>					
B12	All mechanical ventilation systems shall be installed in accordance with the BCA and shall comply with relevant Australian Standards, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate. The PCA must be satisfied that the proposed system is leading industry standard in terms of environmental performance.	<ul style="list-style-type: none"> <li>Construction Certificate No. 17-209159_CC4_SSD844 9_Stage 4_Architectural+Services, 21/07/20 with the following attachments: <ul style="list-style-type: none"> <li>Design Compliance Certificate, Mechanical Ventilation Services, 30/03/20</li> <li>Design Compliance Certificate, Part F5 Sound Transmission and Insulation, 30/03/20</li> <li>Design Compliance Certificate, Part J Mechanical Ventilation of BCA, 30/03/20</li> </ul> </li> <li>Draft Development Consent Matrix for the LOCO Workshops</li> </ul>	<p>Design compliance certificates for mechanical ventilation were issued by Fredon Air (NSW) Pty Ltd on 30/03/20, which was prior to the issue of CC4 (21/07/20).</p> <p>The PCA's matrix spreadsheet (Revision 7, 21/07/20) of Development Consent conditions indicated that Condition B12 was satisfied.</p> <p>The design compliance certificates and the PCA's matrix do not specifically indicate that the proposed system is leading industry standard in terms of environmental performance. However, the Auditors take CC4 and the PCA's matrix as evidence that the PCA was satisfied with Fredon Air's design compliance certificates and associated details and that the PCA was also satisfied that the system was leading industry standard in terms of environmental performance.</p>	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
		(Bays 5-15), 17-209159- LOCO_Retail_SSD8449 _PCAMatrix_Rev7_210 72020			
<b>SYDNEY WATER ASSETS</b>					
B13	Prior to issue of the first Construction Certificate, the Applicant is required to demonstrate that the development will not interfere with the operation of and accessibility to Sydney Water's assets (including water, sewer and stormwater).		This Condition was completed and considered compliant in the 2019 IEA.	Not triggered	
B14	The approved plans must be submitted to the Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met. Sydney Water's Tap in™ online service is available at: <a href="https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm">https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm</a>		This Condition was completed and considered compliant in the 2019 IEA.	Not triggered	
B15	A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water. It is recommended to apply early for the certificate, as there may be water and sewer pipes to be built and this can take some		This Condition was completed and considered compliant in the 2019 IEA. Also refer to Finding for Condition E7.	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
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	time. This can also impact on other services and building, driveway or landscape design. Application must be made through an authorised Water Servicing Coordinator. For help either visit <a href="http://www.sydneywater.com.au">www.sydneywater.com.au</a> > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.				
<b>INSTALLATION OF WATER EFFICIENCY MEASURES</b>					
B16	All toilets installed within the development must be of water efficient dual-flush capacity with at least 4-star rating under the Water Efficiency and Labelling Scheme (WELS). The details must be submitted for the consent of the PCA, prior to the issue of the Stage 4 Construction Certificate.	<ul style="list-style-type: none"> <li>Letter from Buchan to Mirvac, Re: Locomotive Workshop, 2 Locomotive Street, Eveleigh NSW 2015 Amenities Design, Bays 1-4a, SSDA 8517, Design in accordance with conditions B16 – B19 SSD 8449 and conditions B20 - B23 SSD 8517, 11/10/19</li> <li>Buchan, FF&amp;E Schedule, Revision H, Schedule No: TBG-AR-SCH-BB-B4-6000, For Construction Certificate, 09/10/19.</li> <li>Aconex Correspondence from Philip Chun to Mirvac, Re: SSD 8449 – B16-19 (Installation of</li> </ul>	Buchan advised Mirvac that fixtures and fittings for amenities design were selected to comply with SSD 8449 Conditions B16 to B19 and were as shown in Buchan FF&E Schedule Revision H. The toilets shown had WELS 4-star ratings. PCA advised Mirvac that SSD 8449 Conditions B16 to B19 were satisfied on 23/04/20, which was prior to the issue of CC4 (21/07/20).	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
		Water Efficiency Measures), 23/04/20 <ul style="list-style-type: none"> <li>Construction Certificate No. 17-209159_CC4_SSD844 9_Stage 4_Architectural+Services, 21/07/20</li> </ul>			
B17	All taps and shower heads installed within the development must be water efficient with at least a 3-star rating under the Water Efficiency and Labelling Scheme (WELS), where available. The details must be submitted for the approval of the PCA, prior to issue of the Stage 4 Construction Certificate.	Same as for Condition B16	Buchan advised Mirvac that fixtures and fittings for amenities design were selected to comply with SSD 8449 Conditions B16 to B19 and were as shown in Buchan FF&E Schedule Revision H. The tapware shown had WELS 6-star ratings or were sensor activated. Two types of taps had no rating being a 'parents room kitchenette mixer' tap and a 'cleaners hose tap'. PCA advised Mirvac that SSD 8449 Conditions B16 to B19 were satisfied on 23/04/20, which was prior to the issue of CC4 (21/07/20).	Compliant	
B18	New urinal suites, urinals and urinal flushing control mechanisms installed within the development must demonstrate that products have been selected with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS).	Same as for Condition B16	Buchan advised Mirvac that fixtures and fittings for amenities design were selected to comply with SSD 8449 Conditions B16 to B19 and were as shown in Buchan FF&E Schedule Revision H. The urinal shown had a WELS 6-star rating. PCA advised Mirvac that SSD 8449 Conditions B16 to B19 were satisfied on 23/04/20, which was prior to the issue of CC4 (21/07/20).	Compliant	
B19	Systems must include 'smart controls' to reduce unnecessary flushing. Continuous flushing systems are not approved. Details are to be submitted to and approved by the PCA, prior to the issue of the relevant Construction Certificate.	Same as for Condition B16	Buchan advised Mirvac that fixtures and fittings for amenities design were selected to comply with SSD 8449 Conditions B16 to B19 and were as shown in Buchan FF&E Schedule Revision H. The flush plates shown had half and full flush options. There was no evidence to suggest that the toilets were continuous flushing.	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
			PCA advised Mirvac that SSD 8449 Conditions B16 to B19 were satisfied on 23/04/20, which was prior to the issue of CC4 (21/07/20).		
<b>RAINWATER HARVESTING AND RECYCLING</b>					
B20	Prior to the issue of the Stage 3 Construction Certificate, the Applicant is to detail how rainwater harvesting and recycled water reuse (RH&RWR) for the Locomotive Workshop will integrate with the RH&RWR strategy for the ATP precinct (approved under SSD 7317). This strategy is to be prepared in consultation with Council and submitted to and approved by the Secretary.	<ul style="list-style-type: none"> <li>Letter from Harris Page &amp; Associates Pty. Limited to Mirvac, Re: Australian Technology Park, Locomotive Workshop – ATP Precinct, Water Reuse Strategy Compliance Assessment, 09/10/19</li> <li>Emails between Mirvac and City of Sydney, Re: TRIM CM: Locomotive Workshop – Rainwater Harvesting and Recycling, dated 02/08/20 to 16/10/19</li> <li>Letter from DPIE to Mirvac, Locomotive Workshop Rainwater Harvesting and Recycled Water Reuse Strategy (SSD 8517 and SSD 8449), 24/10/19</li> <li>Aconex Correspondence from Philip Chun to Mirvac, Re: Conditions B24 (SSD 8517) &amp; B20 (SSD 8449) -</li> </ul>	Mirvac sent a 'Water Reuse Strategy Compliance Assessment' and a copy of the RH&RWR strategy for the ATP precinct to the City of Sydney on 02/08/19 and confirmed that the Locomotive Workshop was aligned with the RH&RWR strategy. The City of Sydney provided comment to which Mirvac responded with a revised Water Reuse Strategy Compliance Assessment. The City of Sydney endorsed the Water Reuse Strategy Compliance Assessment on 16/10/19. Mirvac provided the revised Water Reuse Strategy Compliance Assessment (09/10/20) to DPIE on 16/10/19. DPIE indicated that they were satisfied that Condition B20 had been satisfied on 24/10/19, which was prior to the issue of CC3 (04/03/20).	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
		Rainwater Harvesting and Recycling, 24/10/19 <ul style="list-style-type: none"> <li>Construction Certificate No. 17-209159_CC3_SSD844 9_Stage 3_Structure, 04/03/20</li> </ul>			
<b>STORMWATER AND DRAINAGE</b>					
B21	Prior to a Construction Certificate being issued for any excavation, civil construction, drainage or building work (whichever is earlier), excluding approved preparatory or demolition work, details of the proposed stormwater disposal and drainage from the development including a system of on-site stormwater detention in accordance with Council's standard requirements and details of the provision and maintenance of overland flow paths must be submitted to and approved by the PCA. All approved details for the disposal of stormwater and drainage are to be implemented in the development.	<ul style="list-style-type: none"> <li>Interview with Mirvac personnel, 17/09/2020.</li> </ul>	Details of the proposed stormwater disposal and drainage were completed and approved by the PCA in the prior audit period. Implementation is not yet complete and Installation Compliance Certificates have not yet been issued.	Not triggered	
B22	The requirements of Sydney Water with regard to the on-site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the onsite detention must be submitted prior to a Construction Certificate		This Condition was completed and considered compliant in the 2019 IEA.	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	being issued excluding any approved preparatory, demolition or excavation works.				
B23	Any proposed connection to the relevant authority underground drainage system will require the owner to enter into a Deed of Agreement with the relevant authority and obtain registration on Title of a Positive Covenant prior to Construction Certificate being issued for public domain works or above ground building works, whichever is earlier, and prior to the commencement of any work within the public way. <i>Note: Contact Council's Legal Unit prior to the drafting of the positive covenant.</i>		This Condition was completed and considered compliant in the 2019 IEA.	Not triggered	
B24	An "Application for Approval of Stormwater Drainage Connections" must be submitted to the relevant authority with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the relevant authority's drainage system.		This Condition was completed and considered compliant in the 2019 IEA.	Not triggered	
B25 (as modified, SSD 8449 MOD 1)	Prior to a Construction Certificate being issued for any excavation, civil construction, drainage or building work (whichever is earlier), but excluding approved preparatory or demolition work, a stormwater quality assessment must be		This Condition was completed and considered compliant in the 2019 IEA.	Not triggered	



<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<p>undertaken and must be approved by the PCA.</p> <p>The stormwater quality assessment must:</p> <p>(a) be prepared by a suitably qualified drainage engineer with experience in Water Sensitive Urban Design;</p> <p>(b) use modelling from an industry-standard water quality model; and</p> <p>(c) demonstrate what water sensitive urban design and other drainage measures will be used to ensure that the development will achieve the following post-development pollutant loads relative to pre-development pollutant loads:</p> <p>(i) reduce the baseline annual pollutant load for litter and vegetation larger than 5mm by <math>\geq 25\%</math>;</p> <p>(ii) reduce the baseline annual pollutant load for total suspended solids by <math>\geq 30\%</math>;</p> <p>(iii) reduce the baseline annual pollutant load for total phosphorous by <math>\geq 10\%</math>;</p> <p>(iv) reduce the baseline annual pollutant load for total nitrogen by <math>\geq 10\%</math>.</p>				
<b>EROSION AND SEDIMENT CONTROL</b>					
B26	Soil erosion and sediment control measures shall be designed in accordance with the document		This Condition was completed and considered compliant in the 2019 IEA.	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
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	Managing Urban Stormwater – Soils & Construction Volume 1 (2004) by Landcom and the Guidelines for Erosion and Sediment Control on Building Sites (City of Sydney). Details are to be submitted to and approved by the PCA prior to the issue of the relevant Construction Certificate.				
<b>ACCESS FOR PEOPLE WITH DISABILITIES</b>					
B27	Prior to the issue of the relevant Construction Certificate, detailed design documentation demonstrating compliance with the recommendations of the Access Report (Final), prepared by Morris Goding Accessibility Consulting, dated 25 October 2017 shall be provided to and approved by the PCA. Any works must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The PCA must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on the Construction Certificate drawings.	<ul style="list-style-type: none"> <li>Letter from Morris Goding Access Consulting to Mirvac, Re: ATP Locomotive Workshop – Access Design Certification v3, 21/11/19</li> <li>Construction Certificate No. 17-209159_CC4_SSD844 9_Stage 4_Architectural+Services, 21/07/20</li> <li>CC4 Attachment 29:               <ul style="list-style-type: none"> <li>Morris Goding Access Consulting, CC Access Issues Report – Final, 23/09/19</li> <li>Letter from Morris Goding Access Consulting to Mirvac, Re: ATP Locomotive Workshop (Bays 5-</li> </ul> </li> </ul>	<p>Morris Goding Access Consulting (MGAC) certified to Mirvac that the design of the building systems and layout complied with: BCA Part D3, E3, F2.4 Building Code of Australia 2016 (Amendment 1); AS 1428.1 - 2009 General Requirements of Access; and Disability Access to Premises Standards 2010 (including DDA Access Code). MGAC's certification was based on a review of listed drawings and recommendations, requirements and/or design checklist advice provided in the MGAC CC Access Review Report.</p> <p>The MGAC certification and the MGAC CC Access Review Report were attached to CC4 (21/07/20) indicating that they had been provided to the PCA prior to the issue of the relevant Construction Certificate, CC4.</p> <p>The access design certification is for Bays 5 to 13 only. It is understood that the access design certification for Bay 15 will be carried out at a later stage.</p>	Compliant	

Table A: Compliance with SSD 8449					
APPROVAL (ID)	REQUIREMENT	EVIDENCE COLLECTED	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
		13) – Access Design Certification CC4, 06/07/20			
HERITAGE INTERPRETATION					
B28	<p>Prior to the issue of the first Construction Certificate for the Locomotive Workshop, the endorsed Stage 1 Heritage Interpretation Plan (under SSD 7317) is to be reviewed and updated, in consultation with the Heritage Council and Council, to the satisfaction of the Planning Secretary.</p> <p>The updated plan must be prepared in accordance with the Applicant's Heritage Impact Statement, the ATP Conservation Management Plan, relevant NSW Heritage Division guidelines and address material and intangible cultural heritage.</p> <p>It must require the Stage 2 Heritage Interpretation Plan be consistent with the Stage 1 Heritage Interpretation Plan, outline the next steps for the Stage 2 Heritage Interpretation Plan, identify concepts that have been further developed for the Locomotive Workshop, including interpretative elements for the loading dock and travelator and detail consultation undertaken with the Heritage Council and Council. It</p>	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020</li> </ul>	This condition was noted as compliant during the 2019 IEA. The approved Stage 1 HIP and Addendum have not been amended since the 2019 IEA and has not required re-submission to DPIE.	Not triggered	

Table A: Compliance with SSD 8449					
APPROVAL (ID)	REQUIREMENT	EVIDENCE COLLECTED	INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS	COMPLIANCE STATUS	NC #
	shall also provide for the subsequent stages of the Heritage Interpretation Plans to be prepared in consultation with the Heritage Council, Council and other stakeholders, including former workers, Aboriginal stakeholders, volunteers, the local community and relevant railway associations, and document the findings and recommendations raised in consultation.				

<b>Table A: Compliance with SSD 8449</b>					
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<b>REMEDIATION</b>					
B29	<p>Prior to the issue of the relevant Construction Certificate, a Remediation Environmental Management Plan (REMP) prepared by a suitably qualified person must be submitted to and approved by the PCA. The plan shall be prepared for each development stage to ensure the works and management are specific to each developable area and must:</p> <p>(a) outline the environmental monitoring and management measures to be implemented during the remediation and construction works on the site;</p> <p>(b) be consistent with and adopt all recommendations of the Remedial Action Plan prepared by JBS&amp;G dated 15 June 2016 and reflect the requirements of Clause 17 and Clause 18 of SEPP 55; and</p> <p>(c) provide contingency measures to manage unexpected finds of contaminated materials, beyond that anticipated at the site.</p>	<ul style="list-style-type: none"> <li>Interview with Mirvac and JBS&amp;G personnel on 17/09/19.</li> </ul>	This Condition was completed and considered compliant in the 2019 IEA. The Auditors understand that the Remedial Action Plan and the REMP were prepared and relevant to all stages of the development and that they have not been revised since the 2019 IEA.	Not triggered	
<b>UTILITY SERVICES</b>					
B30	<p>Prior to the issue of a relevant Construction Certificate, the Applicant is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of any services</p>		This Condition was completed and considered compliant in the 2019 IEA.	Not triggered	

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	affected by the construction of the development and demonstrate to the PCA that a satisfactory solution has been agreed to by all parties.				
<b>DETAILED DESIGN INFORMATION</b>					
B31 (as modified, SD 8449 MOD 7)	The following detailed design/ drawings must be prepared, in consultation with the Heritage Council NSW and Council (or its delegate) and provided to the Planning Secretary prior to the issue of the nominated Construction Certificate (refer to the Table provided in the provided in Modification 7).	<ul style="list-style-type: none"> <li>Email with letter attached from Mirvac to DPIE, Re. Locomotive Workshops – SSD 8517 (Bays 1-4a) – Condition B39 and SSD 8449 (Bays 5-15) Condition B31 Detailed Design Information, 11/10/19</li> <li>Construction Certificate No. 17-209159_CC3_SSD8449_Stage 3_Structure, 04/03/20</li> <li>Email with letter attached from Mirvac to DPIE, Re. Locomotive Workshops – SSD 8517 (Bays 1-4a) – Condition B39 and SSD 8449 (Bays 5-15) Condition B31 Detailed Design Information, 30/10/19</li> <li>Construction Certificate No. 17-209159_CC4_SSD8449_Stage</li> </ul>	<p>CC3 – Structure: An email and attached letter from Mirvac to DPIE (11/10/19) details the consultation undertaken with the City of Sydney and the Heritage Council in relation to the listed detailed design / drawings for the Structure (CC3), with the exception of the travelator design drawings. The letter was emailed to DPIE prior to the issue of CC3 (04/03/20).</p> <p>CC4 – Services and base building fitout: An email with letter attached from Mirvac to DPIE (30/10/19) details the consultation undertaken with the City of Sydney and the Heritage Council in relation to the listed detailed design / drawings for the services and base building fitout (CC4). The letter was emailed to DPIE prior to the issue of CC4 (21/07/20).</p>	Compliant	

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		4_Architectural+Services, 21/07/20			
<b>ROOF PLANT LAYOUT</b>					
B32	The layout for the roof plant equipment is to be designed to be as compact as possible, and located centrally, to reduce visual clutter. Details are to be provided to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate.	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020</li> </ul>	This condition was noted as compliant during the 2019 IEA. The roof plant equipment layout has not been amended since the previous audit and has not required re-submission to the PCA.	Not triggered	
<b>HERITAGE CONSULTANT</b>					
B33	A suitably qualified and experienced heritage consultant must be nominated for this project throughout the design development, contract documentation and construction of the development. The heritage consultant: (a) must provide input into the detailed design (b) shall inspect the demolition and removal of material (c) is to provide ongoing advice to tradespeople undertaking the proposed works during construction to ensure significant fabric is not damaged (d) is to be involved in the resolution of all matters where existing significant fabric and spaces are subject to preservation, adaptive reuse, recording and demolition	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020</li> </ul>	This condition was noted as compliant during the 2019. Curio Projects continues to be engaged as the heritage consultants for the project.	Compliant	

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	(e) is to have full access to the site and is to be authorised to respond directly to Council and Heritage Council if information or clarification is required  (f) must be satisfied that all work has been carried out in accordance with the conditions of this consent. Evidence of commission on the above terms is to be provided to the PCA prior to the issue of the first Construction Certificate or commencement of works on the site, whichever is earlier.				
<b>HERITAGE - NEW SERVICES</b>					
B34	The Heritage Consultant must be consulted regarding the introduction of new services, including electrical and hydraulic, to ensure this occurs with minimal impact to significant fabric and in accordance with the CMP. Detailed plans, identifying the location of services to ensure routes are planned to minimise impacts to significant fabric and spaces, must be prepared to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate.	<ul style="list-style-type: none"> <li>Letter dated 08/07/20 from Curio Projects (Natalie Vinton) to Mirvac Projects confirming consultation on new services;</li> <li>Email dated 08/07/20 from PCA (Rhoebbe Clemente of Philip Chun &amp; Associates) to Mirvac (Nathan McCoy, Zac Langsford) confirming satisfaction of this Condition</li> </ul>	<p>Documentation provided (Statement of Satisfaction) confirms the Heritage Consultant, Curio Projects, were consulted regarding new services (i.e. electrical, hydraulic, mechanical, fire) and provided various documentation for review.</p> <p>Mirvac also provided documentation to confirm the requirements of this condition have been met to the satisfaction of the PCA.</p>	Compliant	
B34A (as modified, SSD 8449 MOD 10)	The heritage consultant must be consulted regarding the installation of photovoltaic panels on the roof of the Locomotive Workshop, to avoid any physical impacts on the heritage fabric of the Locomotive	<ul style="list-style-type: none"> <li>Modification of Development Consent for SSD 8449 (MOD 10), Condition B34A, dated 02/09/2020</li> </ul>	Modification of Development Consent was issued on 2 September 2020 and installation of the photovoltaic panels has not yet occurred.	Not triggered	



<b>Table A: Compliance with SSD 8449</b>					
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	Workshop, including heritage trusses, internal roof sheeting and any historic flues or pipes. The installation of the panels is to be supervised by the heritage consultant, at periodic hold points set out by the heritage consultant, and be installed around all flues, pipes and other items of heritage significance.	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020.</li> </ul>			
<b>GLAZING</b>					
B35 (as modified, SSD 8449 MOD 6)	All new external glazing used for the Locomotive Workshop is to be clear. Frosted glazing is only permitted to be used in existing heritage arched windows of the Locomotive Workshop, to match surrounding frosted glazing within the same window. Where frosted glazing is to be used, the project heritage consultant must, prior to installation, verify consistency with the appearance of the existing heritage fabric.	<ul style="list-style-type: none"> <li>Modification of Development Consent for SSD 8449 (MOD 6), Condition B11, dated 05/02/2020.</li> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020.</li> </ul>	No frosted glass has been used during the Audit Period.	Not triggered	
<b>TENANCY FIT OUT GUIDELINES</b>					
B36	Prior to the issue of the Stage 4 Construction Certificate, tenant fit-out design guidelines for Bays 5-13 and Bay 15 within the Locomotive Workshop are to be prepared in consultation with the Heritage Council and Council, and to be endorsed by the Planning Secretary.	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020.</li> </ul>	This condition was reported as compliant during the 2019 IEA. No changes have been made to the tenancy fit out design guidelines since the previous audit.	Not triggered	

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	<p>The guidelines are to be consistent with the visual sight line zone (as shown on the approved ground floor plan), which requires:</p> <ul style="list-style-type: none"> <li>(a) all balustrades within the zone to be semi-framed glazing</li> <li>(b) tenancy walls and fit outs within the zone are to be low height (maximum of 1200 mm) and open or transparent</li> <li>(c) tenancy walls are to be glazed and any moveable heritage items are integrated into the fit out</li> <li>(d) fit out items must not cover or obscure the heritage structure or equipment</li> <li>(e) full height walls on level 1 are to be avoided in the zone or glazed if proposed</li> </ul> <p>The guidelines are to require individual lighting plans for each tenancy, that are consistent with the lighting design prepared for the Locomotive Workshop.</p> <p>The tenant fit-out guidelines are to be prepared to ensure future tenants are aware of the cultural significance of the Locomotive Workshop, the ongoing operations of the Blacksmith, the Blacksmith Plan of Management, and the requirements for their on-going conservation and management. The guidelines are to be informed by the Stage 1 and final or draft Stage</p>				

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	2 Heritage Interpretation Plans, the ATP Conservation Management Plan and relevant NSW Heritage Division guidelines. The guidelines are to include details of lighting design to be consistent with the overall lighting design for the Locomotive Workshop. The Applicant must ensure all future development applications for fit-out works are consistent with the approved fitout design guidelines.				
<b>BLACKSMITH PLAN OF MANAGEMENT</b>					
B37	A plan of management for the continued operation of the Blacksmith must be submitted and endorsed by the Secretary prior to the issue of any construction certificate. The plan of management must be prepared by the Applicant and include: a) the continued permitted hours of operation: 24 hours and day 7 days per week b) a complaint register, outlining the nature and location of compliant/s. The register must also outline what if any mitigation was undertaken by the Applicant. The register must be provided to the Secretary every 6 months.	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020.</li> <li>Complaint Register, August 2020</li> </ul>	<p>This condition was reported as compliant during the 2019 IEA in relation to approval of the Blacksmith Operation Plan of Management.</p> <p>No complaints were made regarding the Blacksmith operations (located in the Retail Development) during the Audit Period, although it is noted that the Blacksmith is not currently operating. As such, the Complaints Register has not yet been submitted to DPIE.</p>	Compliant	
<b>HERITAGE INTERPRETATION</b>					
B38	Prior to the issue of the first Construction Certificate for the	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy,</li> </ul>	This condition was noted as compliant during the previous audit. The Stage 2 HIP has not been amended	Not triggered	

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	Locomotive Workshop, the Applicant shall submit the Stage 2 Heritage Interpretation Plan for the Locomotive Workshop for approval by the Planning Secretary. This plan shall be prepared in accordance with the Stage 1 Heritage Interpretation Plan, the Applicant's Heritage Impact Statement, the ATP Conservation Management Plan and relevant NSW Heritage Division guidelines. Stage 2 shall be prepared in consultation with the Heritage Council and Council, and other stakeholders, including former workers, Aboriginal stakeholders, volunteers, the local community and relevant railway associations, and document the findings and recommendations raised.	Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020	since the previous audit and thus has not required re-submission to the DPIE.		
<b>MOVEABLE HERITAGE</b>					
B39	The conservation and management of moveable heritage items is to be informed by an experienced moveable heritage consultant with a working knowledge of the site. The placement, storage and interpretation of all moveable heritage items housed within the Locomotive Workshop is required to be finalised as part of the Stage 2 Heritage Interpretation Plan and must occur in accordance with the	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020.</li> </ul>	This condition was reported as compliant during the 2019 IEA. No changes have been made to the Stage 2 HIP or other noted documents since the previous audit.	Not triggered	

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	Heritage Impact Statement, the requirements of the Conservation Management Plan (CMP), Heritage Asset Management Strategy (HAMS) and the Moveable Collections Management Plan (MCMP).				
B40 (as modified, SSD 8449 MOD 6))	<del>The MCMP is to be updated and completed, in consultation with the Heritage Council and Council, within 12 months of the issue of the first Construction Certificate for the Locomotive Workshop, to provide detailed recommendations on the future conservation, management, display conditions, storage, security, and identify the location and management of all moveable heritage.</del>	<ul style="list-style-type: none"> <li>Modification of Development Consent for SSD 8449 (MOD 6), Condition B11, dated 05/02/2020</li> </ul>	Condition B40 has been deleted and details moved to Condition E25. Refer to Condition E25.	Not applicable	
<b>PART C PRIOR TO COMMENCEMENT OF WORKS</b>					
<b>NOTIFICATION OF COMMENCEMENT</b>					
C1	The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.		This condition satisfied in the prior audit period and was reported as compliant in the 2019 IEA.	Not triggered	
C2	If the construction or operation of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020.</li> </ul>	Mirvac advised that notification of commencement of works is communicated to the DPIE through the letter sent by the PCA to inform that a construction certificate has been issued for specific works and also by a Notice of Commencement letter sent by Mirvac for each 'major' stage of work (e.g. Stage 3, Stage 4). The Auditors observe that the PCA's letter does not notify the DPIE of the intended date for commencement of construction and notification must be sent separately	Non-compliant	NC4

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		<ul style="list-style-type: none"> <li>Letter from Mirvac (Zac Langsford) to DPIE (Compliance team) dated 07/09/2020, Re: Condition A13 Non-compliance notification (for Condition C2).</li> <li>Letter from Mirvac (Zac Langsford) to DPIE (Compliance team) dated 18/06/2020, Re: Condition A13 Non-compliance notification (for Compliance Report 2), Conditions C2, C5, A16.</li> </ul>	<p>and 48 hours in advance of the commencement, which is usually the same day as when the CC is issued. Notification to DPIE for sub-stages of work (e.g.5a) was not made as these were considered approved under the parent-stage of works.</p> <p>Commencement dates for Stage 3 and Stage 4 were not notified to DPIE at least 48 hours prior. Mirvac notified DPIE in writing of the scheduled commencement of Stage 3 (Structure) construction works (5 March 2020) on 18 June 2020 and Stage 4 (Services and Base Build Fit Out) commencement (22 July 2020) on 7 September 2020. The Auditors consider this Condition to be non-compliant on the basis of the missed Stages 3 and 4 notifications.</p> <p>Mirvac has recently included an additional column in the 'CC Programme' spreadsheet recording the required date for DPIE notification of commencement of works for each stage (i.e. at least 48 hours' notice) to trigger the need for this action. No further action is recommended.</p>		
ACCESS TO INFORMATION					
C3	At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website:	<ul style="list-style-type: none"> <li>Mirvac's South Eveleigh webpage for 'Construction &amp; Development Updates': <a href="https://southeveleigh.mirvac.com/about/locomotive-workshop/development-updates">https://southeveleigh.mirvac.com/about/locomotive-workshop/development-updates</a></li> </ul>	<p>The 'Construction &amp; Development Updates' and 'South Eveleigh Construction Updates' websites continue to provide a considerable amount of project documentation and information and are considered to generally comply with the requirements of the condition. The Auditors make the following observations and recommendations:</p> <ul style="list-style-type: none"> <li>Regular South Eveleigh heritage, construction and development updates are provided,</li> <li>A complaints register is available (labelled as the Locomotive Workshop Contact Register).</li> </ul>	Compliant	

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	(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) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent; (v) 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; (vi) a summary of the current stage and progress of the development; (vii) contact details to enquire about the development or to make a complaint; (viii) a complaints register, updated monthly; (ix) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report; (x) any other matter required by the Planning Secretary; and	<ul style="list-style-type: none"> <li>Mirvac's South Eveleigh webpage for 'South Eveleigh Construction Updates': <a href="https://southeveleigh.mirvac.com/about/construction-and-development-updates">https://southeveleigh.mirvac.com/about/construction-and-development-updates</a></li> <li>DA condition tracking register ("200916-C3_A16_Locomotive Workshop" spreadsheet)</li> </ul>	<ul style="list-style-type: none"> <li>Regular reporting of environmental performance and summary of monitoring results of the development is not specifically required or noted in plans or programs.</li> <li>Where consent modifications refer to revised drawings, those revised drawing should be provided on the website (e.g. Proposed plan – second floor is Revision L, not Revision V per MOD 10).</li> <li>Some links do not open the documents (e.g. Loading Dock Management Plan).</li> <li>The following drawings in Condition A2 should be provided: Grid 8 glazing study; Intertenancy Walls, Internal Elevations/ Section; Bay 15 Section – West Wall; and Full height glazing elevations.</li> <li>Mirvac uses a tracking register to ensure updates to documents that are required to be uploaded to the website are done so within the required timeframes of the relevant condition. However, the register does not identify the document version so it is difficult to track/check that the current version has been uploaded on the website, without retrieving the document to physically check the version number against the website version.</li> </ul> <p>It is recommended as an improvement opportunity that Mirvac include the version number for the listed documents within the tracking register to ensure that up to date information has been uploaded. The document submission date (what the upload deadline usually hinges on), the notification deadline and upload deadline could also be included.</p>		

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	(b) keep such information up to date, to the satisfaction of the Planning Secretary.				
<b>COMPLIANCE REPORTING</b>					
C4	No later than 6 weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department.		This Condition was completed and considered compliant in the 2019 IEA.	Not triggered	
C5	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	<ul style="list-style-type: none"> <li>Email from Mirvac to DPIE re. SSD 8449 Notice of commencement, 21/06/19</li> <li>Letter from Mirvac to DPIE dated 11/03/20, Re. Locomotive Workshops - SSD 8517 (Bays 1-4a) – Condition A13 and SSD 8449 (Bays 5-15) – Condition A13 Non-Compliance Notification</li> <li>Mirvac, Compliance Report 1, Locomotive Workshop SSD 8449, December 2019, Revision 1, 16/12/19</li> </ul>	<p>Mirvac has submitted two construction compliance reports since the 2019 IEA. Construction work was notified to DPIE as commencing on 24/06/19. The Auditors observe that Compliance Report 1 states that works commenced on 17/06/19, which is inconsistent with the date notified to DPIE. Based on construction commencing on 24/06/19 and in accordance with Table 1 of the Compliance Reporting Post Approval Requirements (Department 2018), the first two construction compliance reports were due by 23/12/19 and 22/06/20. Compliance Report 1 and Compliance Report 2 were issued and submitted to DPIE on 16/12/19 and 15/06/20, prior to their respective due dates.</p> <p>The contents of the two construction compliance reports were reviewed and it is considered that they do not fully address the following requirements of the Compliance Reporting Post Approval Requirements (Department 2018) as the following information was not provided:</p>	Non-compliant	NC5



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		<ul style="list-style-type: none"> <li>Mirvac, Compliance Report 2, Locomotive Workshop SSD 8449, June 2020, Revision 1, 15/06/20</li> <li>Email from DPIE to Mirvac, ATP Locomotive Workshop (Bays 5 - 15) - Post Approval Document Received - (SSD-8449-PA-5), 15/06/20</li> <li>Letter email from Mirvac to DPIE dated 18/06/20, Re. Locomotive Workshops - SSD 8517 (Bays 1-4a) - Condition A13 and SSD 8449 (Bays 5-15) Condition A13 Non-Compliance Notification</li> </ul>	<ul style="list-style-type: none"> <li>the date covered by the Compliance Report (reporting period date range);</li> <li>current GIS figures and shapefiles that illustrate development footprints and context;</li> <li>the total number of non-compliances during the reporting period;</li> <li>details of all non-compliances during the reporting period including: <ol style="list-style-type: none"> <li>the relevant compliance requirement and its ID;</li> <li>details of the non-compliance, the date it occurred and the date it was identified;</li> <li>the agency, or agencies to whom the non-compliance was reported; and</li> <li>Mirvac's response that had been, or was proposed to be, taken to address the non-compliance, including details of timing for undertaking such actions; and</li> </ol> </li> <li>Previous report actions arising from previous Independent Audits and Compliance Reports.</li> </ul> <p>The Auditors observe that Compliance Report 2 (15/06/20), did not refer to the A16 and C6 non-compliances that were notified to DPIE in March 2020. It also referred to non-compliances reported in the first Independent Audit and Compliance Report 1. Other conditions were shown as not triggered even though they had been satisfied (e.g. B16-B19 in April 2020).</p> <p>The reporting period should be clearly stated and the text should reflect the occurrences relating to the reporting period, and not the previous reporting period.</p> <p>The Auditors recommend that Mirvac ensure that Compliance Report 3 meets all of the requirements of</p>		

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<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
			the Compliance Reporting Post Approval Requirements (Department 2018).		
C6	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done.	<ul style="list-style-type: none"> <li>Letter email from Mirvac to DPIE dated 11/03/20, Re. Locomotive Workshops - SSD 8517 (Bays 1-4a) – Condition A13 and SSD 8449 (Bays 5-15) – Condition A13 Non-Compliance Notification</li> <li>Letter email from Mirvac to DPIE dated 18/06/20, Re. Locomotive Workshops - SSD 8517 (Bays 1-4a) – Condition A13 and SSD 8449 (Bays 5-15) Condition A13 Non-Compliance Notification</li> </ul>	<p>The 2019 IEA recommended that Mirvac update the development's public website to make available the latest version of the Pre-Construction Compliance Report and ensure that DPIE are notified at least 7 days prior to updating or placing new Compliance Reports on the public website. The version of the Pre-Construction Compliance Report on the public website is still version 1, indicating that this non-compliance from the 2019 IEA has not been actioned. The Auditors recommend that the latest version of the Pre-Construction Compliance Report be made available on the public website.</p> <p>Construction Compliance Report 1 and Compliance Report 2 were submitted to DPIE on 16/12/19 and 15/06/20, respectively. Mirvac notified DPIE on 11/03/20 that Compliance Report 1 had not been made publicly available (therefore, it was overdue) and they would make it publicly available within 7 days of the non-compliance notification. On this basis, this condition is considered non-compliant.</p> <p>Compliance Report 1 and Compliance Report 2 are available on the project website. The Auditors consider this notification of Compliance Report 2 to DOIE to be compliant, although it is not clear whether the report would be made publicly available at least 7 days after they had notified report of its pending publication.</p> <p>Mirvac does not record when documents are made publicly available on the project website and it is not shown on the website. Therefore, the Auditors cannot</p>	Non-compliant	NC6

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
			verify if the Compliance Reports were made publicly available within 60 days of the reports being submitted to DPIE and whether DPIE were notified at least 7 days prior to their actual publication. The Auditors recommend that Mirvac implement a system of recording when documents are made publicly available and consider how to ensure that Compliance Reports are made publicly available within the required timeframe (i.e. within 60 days of submission to DPIE and at least 7 days after notifying DPIE that they were to be made publicly available).		
<b>INDEPENDENT AUDIT</b>					
C7	No later than 4 weeks before the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department.		This Condition was completed and considered compliant in the 2019 IEA.	Not triggered	
C8	Independent Audits of the development must be carried out in accordance with: (a) the Independent Audit Program submitted to the Department under condition C7 of this consent; and (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	<ul style="list-style-type: none"> <li>Ramboll Australia Pty Ltd, 2019 Independent Environmental Audit, SSD 8449 Locomotive Workshop – Bays 5-15, 31/10/19</li> <li>Email from Mirvac to DPIE, Re: Locomotive Workshop (SSD 8449) Conditions C8 &amp; C9 - Independent Audit Report, 01/11/19</li> </ul>	The 2019 Independent Audit and this 2020 Independent Audit have been and are being carried out in accordance with Condition C8. Construction work commenced on 24/06/19 and therefore, the first Independent Audit was due to be submitted by 11/11/19. Mirvac submitted the 2019 Independent Audit to DPIE on 01/11/19.	Compliant	
C9	In accordance with the specific requirements in the Independent	<ul style="list-style-type: none"> <li>Email from Mirvac to DPIE, Re: Locomotive</li> </ul>	Mirvac submitted a response to the 2019 Independent Audit to DPIE on 01/11/19. The response is considered	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
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	<p>Audit Post Approval Requirements (Department 2018), the Applicant must:</p> <p>(a) review and respond to each Independent Audit Report prepared under condition C8 of this consent;</p> <p>(b) submit the response to the Department; and</p> <p>(c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.</p>	<p>Workshop (SSD 8449) Conditions C8 &amp; C9 - Independent Audit Report, 01/11/19</p> <ul style="list-style-type: none"> <li>Mirvac, Mirvac Response to Independent Environmental Audit, SSD 8449 Locomotive Workshop – Bays 5 - 15, November 2019, 01/11/19.</li> </ul> <p>Email from Mirvac to DPIE, Re: SSD 8517 &amp; SSD 8449 - Condition C9 (Independent Audit), 08/11/19</p>	<p>to meet the Independent Audit Post Approval Requirements (Department 2018). Mirvac notified DPIE that they would make the 2019 Independent Audit and Mirvac's response available on the South Eveleigh website after Monday 18th November, which met the requirements. The Auditors observe that the 2019 Independent Audit and Mirvac's response are available on the project website (<a href="https://southeveleigh.mirvac.com/about/locomotive-workshop/development-updates">https://southeveleigh.mirvac.com/about/locomotive-workshop/development-updates</a>).</p> <p>Mirvac does not record when documents are made publicly available on the project website and it is not shown on the website. Therefore, the Auditors cannot verify if the Compliance Reports were made publicly available within 60 days of the reports being submitted to DPIE. There is no evidence to suggest that this was not done. However, the Auditors recommend that Mirvac implement a system of recording when documents are made publicly available.</p>		
<b>COMMUNITY COMMUNICATION STRATEGY</b>					
C10	<p>The Community Communication Strategy prepared and approved under SSD 7317 shall be updated in consultation with the Community Liaison Group and heritage consultant/s and or expert/s (Condition B10) to provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development),</p>	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020.</li> </ul>	<p>This condition was noted as compliant during the 2019 IEA. No changes have been made to the Community Consultation Strategy since the previous audit.</p>	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	during the design and construction of the development and for a minimum of 12 months following the completion of construction.				
C11	<p>The Community Communication Strategy must:</p> <p>(a) identify people to be consulted during the design and construction phases;</p> <p>(b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;</p> <p>(c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;</p> <p>(d) set out procedures and mechanisms:</p> <p>(i) through which the community can discuss or provide feedback to the Applicant;</p> <p>(ii) through which the Applicant will respond to enquiries or feedback from the community; and</p> <p>(iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation.</p>	<ul style="list-style-type: none"> <li>As for Condition C10</li> </ul>	This condition was noted as compliant during the 2019 IEA. No changes have been made to the Community Consultation Strategy since the previous audit.	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
C12	The Community Communications Strategy must be submitted to the Planning Secretary for approval no later than one month prior the commencement of any work.	<ul style="list-style-type: none"> <li>As for Condition C10.</li> </ul>	This condition was noted as compliant during the 2019 IEA. No changes have been made to the Community Consultation Strategy since the previous audit.	Not triggered	
C13	Work for the purposes of the development must not commence until the Community Communication Strategy has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.	<ul style="list-style-type: none"> <li>As for Condition C10.</li> </ul>	This condition was noted as compliant during the 2019 IEA. No changes have been made to the Community Consultation Strategy since the previous audit.	Not triggered	
C14	The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020.</li> </ul>	Mirvac advised that the CCS continues to be implemented throughout the duration of the project. Based on interviews conducted, the Auditors are satisfied this condition is being met.	Compliant	
<b>COMPLIANCE</b>					
C15	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.	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Chris Callaghan, Project Manager &amp; John Tsaousidis, Senior HSE Officer) on 19/9/2020.</li> <li>Site Specific Induction_Rev8_060720.pptx</li> <li>Daily Site Activities Briefing 170920.pptx</li> <li>Scope of works, Quantum Fitout,</li> </ul>	Employees and contractors continue to be made aware of the Consent Conditions and their obligations during Induction. Additional site-specific induction training is then provided by the HSE Officer/ team or other trainers, as relevant, depending on specific roles. The Site Specific Induction_Rev8_060720 notes that no noisy works are to be conducted during certain hours. A reminder to not dispose of hazardous substances or chemicals in waste bins is included in the Daily Site Activities Briefing. Contractors are also notified of their obligations to comply with Consent Conditions during the tender process where a copy of the Development Consent is	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
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		Trade: Painting, Revision A, 12/06/20	provided as part of the tender documentation, and specific conditions may be included in the scope of works. The Auditors sighted an example tender document that including working hours and noise compliance requirements.		
<b>UTILITY SERVICES</b>					
C16	Prior to the commencement of work, the Applicant is to obtain written approval from the utility authorities (electricity supply authority, an approved telecommunications carrier and an approved gas carrier, where relevant) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.		This Condition was completed and considered compliant in the 2019 IEA.	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
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<b>HOARDING</b>					
C17	<p>A separate application under section 138 of the Roads Act 1993 is to be made to the relevant road authority to erect a hoarding and/or scaffolding in a public road (if required) and such application is to include:</p> <p>(a) architectural, construction and structural details of the design as well as proposed artwork</p> <p>(b) structural certification prepared and signed by an appropriately qualified practising structural engineer.</p> <p>Evidence of the issue of a Structural Works Inspection Certificate and structural certification will be required prior to the commencement of construction works on site.</p>		This Condition was completed and considered compliant in the 2019 IEA.	Not triggered	
<b>GEOTECHNICAL REPORTS</b>					
C18	<p>Prior to the commencement of any excavation works on site, the Applicant shall submit to the PCA, the results of a detailed geotechnical investigation on the site. The report is to address such matters as:</p> <p>(a) appropriate drilling methods and techniques</p> <p>(b) vibration management and monitoring</p> <p>(c) dilapidation survey</p>		This Condition was completed and considered compliant in the 2019 IEA. Mirvac advised that no further geotechnical assessments have been conducted.	Not triggered	



<b>Table A: Compliance with SSD 8449</b>					
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	(d) support and retention of excavated faces (e) hydrogeological considerations. The recommendations of the report are to be implemented during the course of the works.				
<b>ARCHAEOLOGY</b>					
C19	If any unexpected archaeological relics are uncovered during the course of construction, all work shall immediately cease in that area and a written assessment of the nature and significance of the resource, along with a proposal for the treatment of the remains shall be submitted for the approval of the Planning Secretary.	Interview with Mirvac (Philippa Williams, Assistant Development Manager) on 17/9/2020.	No unexpected archaeological relics or Aboriginal objects were uncovered during the Audit Period.	Not triggered	
C20	If any unexpected Aboriginal objects are uncovered during the course of construction, all work shall immediately cease in that area and a written assessment of the nature and significance of the resource, along with a proposal for the treatment of the object(s) shall be submitted for the approval of the Planning Secretary.	As for Condition C19	As for Condition C19	Not triggered	
C21	Should any of the subterranean structure of the building, such as brick arch footings, or other rail associated infrastructure be revealed during excavation or site preparation works, then works must cease and an appropriately qualified historical archaeologist must	<ul style="list-style-type: none"> <li>Interview with Mirvac (Philippa Williams, Assistant Development Manager) and Curio Projects (Andre Fleury) on 17/9/2020.</li> <li>Discovery of Building Fabric – Bay 5</li> </ul>	A Notification of Discovery report by Curio Projects for the discovery of historical building fabric in Bay 5 (e.g. former canteen area and former windows between Bay 5 North and Bay 4a North) in September-October 2019 was prepared. All works were noted to have stopped and Curio investigated and recorded the discovery. The report was submitted to Heritage NSW and Council on 9 December 2019 with final approval of the report scope	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
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	investigate and archivally record any of the building fabric or rail associated infrastructure found. A final archival record must be submitted to the Planning Secretary, Council and the Heritage Council, prior to the issue of the first Occupation Certificate for the Locomotive Workshop.	<p>Locomotive Workshops Australian Technology Park, 09/12/2019, prepared by Curio Projects.</p> <ul style="list-style-type: none"> <li>Email dated 13/03/2020 from Heritage NSW (David Nix) to Mirvac (Philippa Williams) Re: Discovery of Fabric Bay 5, Locomotive Workshops.</li> </ul>	<p>of works and recommendations granted by Heritage NSW on 13 March 2020. Mirvac advised that no comments were provided by Council regarding the report.</p> <p>A final archival record is yet to be prepared and the first Occupation Certificate has not yet been issued for SSD 8449.</p> <p>Mirvac advised that a heritage platform (aboveground) was recently identified in Bay 15 and works have ceased awaiting an approval for a consent modification.</p>		
<b>DISCOVERY OF ABORIGINAL HERITAGE</b>					
C22	In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologist and OEH to develop and implement	Interview with Mirvac (Philippa Williams, Assistant Development Manager) and Curio Projects (Andre Fleury) on 17/9/2020.	Refer Condition C19. No new Aboriginal objects were found during the Audit Period.	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
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	management strategies for all objects/sites.				
<b>HERITAGE – ARCHIVAL RECORD</b>					
C23	A photographic archival recording of all areas of Bays 5 – 15 within the Locomotive Workshop must be prepared prior to the commencement of works, and following completion of works to Bays 5 – 15, in accordance with the NSW Heritage Division publication 'How to prepare archival records of heritage items and Photographic recording of Heritage Items using Film or Digital Capture'.	<ul style="list-style-type: none"> <li>Interview with Mirvac (Philippa Williams, Assistant Development Manager) and Curio Projects (Andre Fleury) on 17/9/2020.</li> </ul>	This condition was noted as compliant during the previous audit. The works are ongoing and when all works are completed, Mirvac advised that a final photographic archival record will be prepared.	Not triggered	
C24	Any significant fabric that is proposed to be removed must be recorded, tagged and securely stored on site for future use. A removal and storage methodology must be provided to the Heritage Council prior to the commencement of works.	<ul style="list-style-type: none"> <li>Interview with Mirvac (Philippa Williams, Assistant Development Manager) and Curio Projects (Andre Fleury) on 17/9/2020.</li> <li>Discovery of Building Fabric – Bay 5 Locomotive Workshops Australian Technology Park, 09/12/2019, prepared by Curio Projects.</li> </ul>	This condition was noted as compliant during the 2019 IEA. Mirvac advised, and documentation provided, noted that any significant fabric requiring removal in Bay 5 would be recorded, tagged and stored securely as required.	Compliant	
<b>PRESERVATION OF SURVEY MARKS;</b>					
C25	All works in City of Sydney Council streets must ensure the preservation of existing permanent		This Condition was completed and considered compliant in the 2019 IEA.	Not triggered	

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	<p>survey marks (a brass bolt, or a lead plug holding a brass tack, covered by a cast iron box). At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark contact must be made with the City's Project Manager Survey / Design Services to arrange for the recovery of the mark.</p> <p>A fee must be paid to the Council for the replacement of any permanent survey mark removed or damaged in accordance with the City's Schedule of Fees and Charges (Reinstatement of Survey Box).</p>				
<b>PROTECTION OF SURVEY INFRASTRUCTURE</b>					
C26	<p>Prior to the commencement of any work on site, a statement prepared by a Surveyor registered under the Surveying Act 2002 must be submitted to Council verifying that a survey has been carried out in accordance with the Surveyor General's Direction No. 11 – Reservation of Survey Infrastructure. Any Permanent Marks proposed to be or have been destroyed must be replaced, and a "Plan of Survey Information" must be lodged at the Land and Property Management Authority, to ensure that the survey control infrastructure and cadastral</p>		<p>This Condition was completed and considered compliant in the 2019 IEA.</p>	<p>Not triggered</p>	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	framework are preserved for the public benefit and in accordance with the Surveying Act 2002.				
<b>PART D DURING CONSTRUCTION</b>					
<b>DEMOLITION</b>					
D1	Demolition work must comply with Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the PCA before the commencement of works.		The work plans and the statement of compliance were complete and considered compliant in the 2019 IEA. Demolition was complete at the time of this Audit; therefore, the Auditors cannot verify that all work complied with the work plans; however, the Auditors have no reason to believe the condition has not been complied with.	Compliant	
<b>CONSTRUCTION HOURS</b>					
D2	Construction, including the delivery of materials to and from the site, may only be carried out between the following hours: (a) between 7:30 am and 5:30 pm, Mondays to Fridays inclusive; and (b) between 7:30 am and 3:30 pm, Saturdays.	<ul style="list-style-type: none"> <li>Construction site notices</li> <li>Interview with Mirvac personnel on 17/09/19.</li> <li>Scope of works, Quantum Fitout, Trade: Painting, Revision A, 12/06/20</li> </ul>	Construction hours are specified in Scope of Works for contractors. There is no evidence to indicate that Condition D2 is not being adhered to.	Compliant	
D3	No work may be carried out on Sundays or public holidays.	<ul style="list-style-type: none"> <li>Interview with Mirvac personnel on 17/09/19.</li> <li>Scope of works, Quantum Fitout,</li> </ul>	Construction hours are specified in Scope of Works for contractors. There is no evidence to indicate that Condition D2 is not being adhered to.	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
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		Trade: Painting, Revision A, 12/06/20			
D4	Activities may be undertaken outside of these hours if required: (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm.	<ul style="list-style-type: none"> <li>Email correspondence between Mirvac and City of Sydney, RE: ATP Locomotive Sheds - Extended Hours Proposal, 19/06/20 and 06/07/20, with attachments: Bay 15 Proposed Change to Work Hours.pdf</li> <li>Mirvac, Construction Update 10/07/2020, Extension of Construction Hours for Locomotive Workshop Internal Bay 15 Works</li> </ul>	Mirvac sought and obtained approval from City of Sydney to work during the night (5.30pm-7.30am Mon-Sat) for internal works in Bay 15 from 08/07/20 to 21/12/20, although this was revised to 13/07/20 to September 2020 (Construction Update 10/07/2020). The Bay 15 works were not being undertaken at the direction of the Police or a public authority or an emergency situation as described by Condition D4; however, approval was sought from the appropriate authority, City of Sydney, to work outside of the approved hours, in accordance with Advisory Note AN2. On this basis, the Auditors consider this condition to be compliant.	Compliant	
D5	Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	<ul style="list-style-type: none"> <li>Mirvac, Construction Update 10/07/2020, Extension of Construction Hours for Locomotive Workshop Internal Bay 15 Works</li> </ul>	Notification of the extension of construction hours was provided to affected residents via the South Eveleigh project website three days prior to the nominated date for commencement of the internal Bay 15 works (13/07/20).	Compliant	
D6 (as modified, SSD 8449 MOD 2)	Deleted				
<b>REMEDIATION</b>					
D7	The Proponent shall undertake the remediation works in accordance with the recommendations of the Remedial Action Plan (RAP) prepared by JBS&G, dated 15 June 2016 (Ref: 51142/104280 (Revision	<ul style="list-style-type: none"> <li>Australian Technology Park Remedial Action Plan, 51142/104280 (Revision 0), JBS&amp;G Australia Pty Ltd, 15/06/16.</li> </ul>	The RAP has not been amended in relation to SSD 8449 remediation works. An addendum to the RAP (RAP Addendum) was prepared in March 2020 but it only related to Bays 1-4a, not Bays 5-15.	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
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	0). Any amendments to the approved Remedial Strategy must be approved by the Site Auditor.	<ul style="list-style-type: none"> <li>200911_Validation Staging.pdf (drawing)</li> <li>Interview with Mirvac and JBS&amp;G personnel on 17/09/20</li> </ul>	A marked-up drawing of the ground floor plan of the Locomotive Workshops indicates the validation stages and timing for the remediation works. Validation of the remediation works is being carried out in six stages: Stages 1A to 1E; and a Travelator stage, of which three stages relating to Bays 1 – 4a under SSD 8517 were completed during the Audit Period (Stages 1A to 1C). Bays 5-15 (excluding Bay 14, which is occupied) will be validated as Stages 1D and 1E.		
<b>WASTE CLASSIFICATION AND DISPOSAL</b>					
D8	The Applicant must ensure that all waste generated by the development is classified and disposed of in accordance with the EPA's Waste Classification Guidelines 2009. These Guidelines may indicate the material will need to be immobilised prior to disposal. If this is the case, the Applicant must apply to the EPA for a site-specific immobilisation approval.	<ul style="list-style-type: none"> <li>Letter from JBS&amp;G to Mirvac, Re: Waste Classification: Stockpile 1 and Piling Spoil, Bay 15 North, Locomotive Workshops, 08/09/20</li> <li>Site visit observation on 17/09/20</li> <li>Locomotive Workshops_Daily Site Activities Briefing 170920.pptx</li> </ul>	JBS&G classified spoil generated from piling works in Bay 15 as General Solid Waste (Non-putrescible) in accordance with the EPA's waste classification guidelines (2014).	Compliant	
<b>UTILITIES</b>					
D9	The Applicant shall be responsible for all public utility adjustment/ relocation works, necessitated by the development and as required by the various public utility authorities and/ or their agents.		This Condition was completed and considered compliant in the 2019 IEA. Mirvac advised that no further utility adjustment / relocation works have been necessitated by the development or required by public utility authorities and/or their agents.	Not triggered	
<b>CONSTRUCTION NOISE CRITERIA</b>					
D10	The development shall be constructed with the aim of	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy,</li> </ul>	Five noise complaints from the existing tenant at Bay 14 were received during the Audit Period. The	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) or within the noise limits predicted in the applicant's Noise and Vibration Report that formed part of the EIS. All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the approved CNVMP.	<p>Trainee Development Manager &amp; Chris Callaghan, Project Manager) on 17/9/2020.</p> <ul style="list-style-type: none"> <li>Complaints Register, August 2020.</li> <li>Example of a Noise Alert email.</li> </ul>	previously installed four noise and vibration monitors at Bay 14 continue to be used with an auto-alert (via email) being sent to the Mirvac Project Manager when noise levels are greater than 50dBA. Mirvac advised that usually one alert a week is received and actions will be taken to investigate any excessive noise.		
D11	Any noise generated during the construction of the development must not be offensive noise within the meaning of the Protection of the Environment Operations Act, 1997 or exceed approved noise limits for the site.	<ul style="list-style-type: none"> <li>As for Condition D10</li> </ul>	As for Condition D10	Compliant	
D12	All work, including demolition, excavation and building work must comply with the Australian Standard 2436-2010 'Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites' or this consent where different.	<ul style="list-style-type: none"> <li>As for Condition D10</li> </ul>	As for Condition D10	Compliant	
<b>SAFE WORK AUSTRALIA REQUIREMENTS</b>					
D13	To protect the safety of work personnel and the public, the work site shall be adequately secured to	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development</li> </ul>	There continues to be 24 hr, 7 days/week security patrols for the South Eveleigh precinct including the Locomotive Workshops. The security office is based in	Compliant	



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	prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Safe Work Australia requirements.	<p>Manager &amp; Chris Callaghan, Project Manager) on 17/9/2020.</p> <ul style="list-style-type: none"> <li>Site visits on 17 September 2020.</li> <li>Pre-start topics notice for 17/9/2020.</li> </ul>	<p>Building 2, across the street from the Locomotive Workshops.</p> <p>There have been no notifiable incidents reported to SafeWork NSW.</p> <p>The Auditors observed during the site inspection that the site entrances were secured with boom gates and traffic three controllers were available (at the main vehicle entrance to the site and two within the development). Safe work processes were also noted to be in place, such as weekly HSE inspections and daily pre-start notices used to inform workers of safety alerts, safety risks and scheduled works occurring for the development.</p>		
<b>HAZARDOUS AND INDUSTRIAL WASTE</b>					
D14	<p>Hazardous and/or industrial waste arising from the demolition/operational activities must be removed and/or transported in accordance with the requirements of the Office of Environment and Heritage and the NSW Work Cover Authority pursuant to the provisions of the following:</p> <p>(a) Protection of the Environment Operations Act 1997;</p> <p>(b) Protection of the Environment Operations (Waste) Regulation 2014;</p> <p>(c) Waste Avoidance and Recovery Act 2001; and</p>	As for Condition D8.	<p>The Auditors' review of waste classification and management in accordance with Condition D8 included review of hazardous and/or industrial wastes, such as the lead contaminated wastes in Bay 15.</p> <p>An empty 6 L pail of hazardous chemical and dangerous good (harmful and corrosive) was observed in a general/recyclable waste skip bin. Empty containers that have held dangerous goods should not be disposed of as general waste unless they have been cleaned of residue. It was not possible to verify whether this container held residue or had been cleaned. The Auditors recommend that Mirvac review control measures for disposal of chemical containers and reinforce the requirements with their contractors, as required.</p>	Compliant	

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	(d) Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017.				
<b>COVERING OF LOADS</b>					
D15	All vehicles involved in the excavation and/ or demolition process and departing from the property with materials, spoil or loose matter must have their loads fully covered before entering the public roadway.	<ul style="list-style-type: none"> <li>Interview with Mirvac personnel on 17/09/20</li> <li>Site visit observations on 17/09/20</li> </ul>	Excavation and demolition works had been completed and therefore, there were no truck movements observed during the site visit. Mirvac advised that they ensure the waste skip bins are covered before leaving site. There is no evidence to suggest that this is not the case.	Compliant	
<b>VEHICLE CLEANSING</b>					
D16	Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.	<ul style="list-style-type: none"> <li>Interview with Mirvac personnel on 17/09/20</li> <li>Site visit observations on 17/09/20</li> </ul>	Excavation and demolition works had been completed and therefore, there were no truck movements or need to clean vehicles exiting the site. It was observed that there was some sediment/material on the paving outside the entrance to Bay 15 that was encroaching on a stormwater drain. Mirvac advised that they were in the process of removing sediment traps and cleaning the area, as the Bay 15 remediation work had just been completed that day. Mirvac advised that they intended to sweep the paving later that day.	Compliant	
<b>NO OBSTRUCTION OF PUBLIC WAY</b>					
D17	The public way must not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the Secretary to stop all work on site.	<ul style="list-style-type: none"> <li>Site visit observations on 17/09/20</li> </ul>	The Auditors observed that the public ways, including Locomotive Street and the walkways along Locomotive Street and the railway line, were not obstructed. Three full-time traffic controllers are engaged by Mirvac to manage the traffic and pedestrians to ensure the safety of pedestrians and the public ways are not obstructed.	Compliant	

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<b>BUNDING</b>					
D18	The Applicant shall store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, EPL requirements and/or EPA's Storing and Handling Liquids: Environmental Protection – Participants Handbook.	<ul style="list-style-type: none"> <li>Site visit observations on 17/09/20</li> </ul>	The Auditors observed a number of flammable liquids cabinets and gas cylinder cages were in use in various locations. Gas cylinder portable cages containing Class 2.2, Class 2.2/5.1 and Class 2.1 dangerous were stored in indoor areas on the first floor surrounded by combustible materials including timber and cardboard packaging. Storage areas for minor quantities of gases in cylinders should be kept clear of combustible materials for a distance of not less than 3 m (AS 4332-2004). Mirvac advised that contractors are responsible for storing the hazardous chemicals that they use. However, the Auditors consider that Mirvac is also responsible for ensuring compliance with Condition D18 requirements. The Auditors recommend that the storage of gas cylinders be improved to ensure 3 m separation from combustible materials.	Non-compliant	NC7
<b>SITE NOTICE</b>					
D19	A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, PCA and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements: (a) minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size; (b) the notice is to be durable and weatherproof and is to be displayed throughout the works period	<ul style="list-style-type: none"> <li>Site visit observations and photographs on 17/09/20</li> </ul>	The Auditors observed that site notices meeting the requirements of Condition D19 were prominently displayed at the main site personnel and vehicle entrances.	Compliant	

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	(c) the approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and (d) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.				
<b>IMPACTS OF BELOW GROUND (SUB SURFACE) WORKS – NON-ABORIGINAL OBJECTS</b>					
D20	If during the course of construction the Applicant becomes aware of any previously unidentified heritage object(s), all work likely to affect the object(s) shall cease immediately and the Heritage Council of New South Wales shall be notified immediately in accordance with section 146 of the Heritage Act 1977. Relevant works shall not recommence until written authorisation from the Heritage Council of NSW is received by the Applicant.	<ul style="list-style-type: none"> <li>Email dated 09/12/19 from Curio Projects (Natalie Vinton) to Heritage NSW (David Nix) &amp; Council (Priyanka Misra) re update on discovery of fabric in Bay 5.</li> <li>Email dated 03/02/20 from Heritage NSW (David Nix) to Mirvac (Philippa Williams) re comments on scope of work for discovery of fabric in Bay 5.</li> </ul>	As noted for Conditions C19-C21, historical fabric in Bay 5 was identified and works ceased immediately. A report was subsequently submitted to Heritage NSW and Council on 9 December 2019, with approval of the reports' scope of works and recommendations granted by Heritage NSW on 13 March 2020.	Compliant	
<b>IMPACTS OF BELOW GROUND (SUB SURFACE) WORKS – ABORIGINAL OBJECTS</b>					
D21	If during the course of construction the Applicant becomes aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease	<ul style="list-style-type: none"> <li>Interview with Mirvac (Philippa Williams, Assistant Development Manager) on 17/9/2020.</li> </ul>	No unexpected archaeological relics or Aboriginal objects were uncovered during the Audit Period.	Not triggered	

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	immediately and the Office of Environment and Heritage informed in accordance with section 89A of the National Parks and Wildlife Act 1974. Relevant works shall not recommence until written authorisation from Office of Environment and Heritage is received by the Applicant.				
<b>PROTECTION OF TREES</b>					
D22	No street trees within the Public Way are to be trimmed or removed unless it forms a part of this development consent or prior written approval from the relevant Authority is obtained or is required in an emergency to avoid the loss of life or damage to property.	<ul style="list-style-type: none"> <li>Interview with Mirvac personnel on 17/09/20</li> <li>Site visit observations on 17/09/20</li> </ul>	There are no street trees along the northern and southern public ways located along Locomotive Street and the footpath beside the railway line, or at the western end of the Locomotive Workshops.	Not triggered	
D23	All street trees within the Public Way shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, shall be replaced, to the satisfaction of the relevant Authority.	<ul style="list-style-type: none"> <li>Site visit observations on 17/09/20</li> </ul>	There are no street trees along the northern and southern public ways located along Locomotive Street and the footpath beside the railway line, or at the western end of the Locomotive Workshops.	Not triggered	
D24	All trees on the subject site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.	As for Condition D23.	As for Condition D23.	Not triggered	

Table A: Compliance with SSD 8449					
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HOARDING REQUIREMENTS					
D25	The following hoarding requirements shall be complied with: (a) No third party advertising is permitted to be displayed on the subject hoarding/fencing. (b) The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.	<ul style="list-style-type: none"> <li>Site visit observations on 17/09/20</li> </ul>	The Auditors observed that no third party advertising or graffiti were present on the hoarding.	Compliant	
ROOF LANTERNS					
D26	Any removed roof lanterns must be securely stored for future use.	<ul style="list-style-type: none"> <li>Interview with Mirvac (Philippa Williams, Assistant Development Manager) and Curio Projects (Andre Fleury) on 17/9/2020.</li> <li>Photographs of lanterns (<i>in situ</i>, stored, re-installed)</li> <li>Example record for removed lanterns</li> </ul>	Mirvac advised and documentation provided confirmed that roof lanterns were removed, temporarily stored (at Bay 3 South or Bay 5) and recorded. Some lanterns in poor condition were cleaned and/or repaired (e.g. old wiring, rusty) before re-installation. Most lanterns have been re-installed with a small batch still in storage at Bay 3.	Compliant	
SURVEY CERTIFICATE					
D27	A Survey Certificate prepared by a Registered Surveyor must be submitted to the PCA at the completion of the building works certifying the location of the building in relation to the boundaries of the allotment.			Not triggered	

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<b>PART E PRIOR TO OCCUPATION OR COMMENCEMENT OF USE</b>					
PROTECTION OF PUBLIC INFRASTRUCTURE					
E1 (as modified, SSD 8449 MOD 6))	Unless the Applicant and the applicable authority agree otherwise, prior to commencement of the first use of the commercial bays (Bays 5-15) of the Locomotive Workshop, 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 infrastructure that needs to be relocated as a result of the development.	<ul style="list-style-type: none"> <li>Modification of Development Consent for SSD 8449 (MOD 6), Condition B11, dated 05/02/2020.</li> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020.</li> </ul>	The first use for Bays 5-15 (excluding the existing tenant in Bay 14) is expected to commence in April 2021.	Not triggered	
REMEDIATION AND SITE VALIDATION					
E2	Within 6 months of the completion of the remediation works on site, and prior to the issue of any Occupation Certificate, the Applicant shall submit a detailed Site Audit Summary report and Site Audit Statement and Validation Report to the EPA, the Planning Secretary, the Certifying Authority, and the Council. The validation and audit process may occur progressively to the satisfaction of the site auditor. A Section A Site audit statement must be prepared at the end of each stage of development,	<ul style="list-style-type: none"> <li>200911_Validation Staging.pdf (drawing)</li> <li>Interview with Mirvac and JBS&amp;G personnel on 17/09/20</li> </ul>	Remediation in Bays 5-15 is being carried out as Stages 1D and 1E. A validation report has not yet been issued for Stages 1D and 1E.	Not triggered	

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	<p>including the excavation and construction of the tunnel below Locomotive Workshop to Locomotive Street certifying the suitability of the land for the proposed use.</p> <p>The site audit must be prepared in accordance with the Contaminated Land Management Act 1997 and completed by a site auditor accredited by the EPA to issue Site Audit Statements.</p> <p>The site auditor must also verify that any excavated material disposed off-site, has been appropriately classified, validated, managed and the relevant approvals obtained in accordance with the relevant legislation and any relevant approved materials management plan/s.</p> <p>On completion of remediation works, the Council shall be notified in accordance with the relevant requirements of Clauses 17 and 18 of SEPP 55 - Remediation of Land.</p>				
<b>CONTAMINATION - LONG TERM ENVIRONMENTAL MANAGEMENT PLAN</b>					
E3	Prior to the issue of the first Occupation Certificate for Bays 5 - 15, the Applicant shall prepare and implement a Long Term Environmental Management Plan (LTEMP). The plan shall be prepared by a suitably qualified and	As for Condition E2	Remediation in Bays 5-15 is being carried out as Stages 1D and 1E. A validation report and LTEMP have not yet been issued for Stages 1D and 1E.	Not triggered	



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	<p>experienced person, be submitted to an EPA Accredited Site Auditor for review and approval within one month of the completion of remediation works, unless otherwise agreed by the Secretary. The LTEMP shall include, but not be limited to:</p> <p>(a) a description of the nature and location of any contamination remaining on site;</p> <p>(b) provisions to manage and monitor any remaining contamination;</p> <p>(c) a groundwater monitoring program to assess the potential impact of fill material placed below ground water;</p> <p>(d) mechanisms to report results to relevant agencies;</p> <p>(e) triggers that would indicate if further remediation is required; and</p> <p>(f) details of any contingency measures that the Applicant would carry out to address any ongoing contamination.</p> <p>Upon completion of the remediation works, the Applicant shall manage the site in accordance with the LTEMP and any on-going maintenance of remediation notice issued by the EPA under the CLM Act.</p>				

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<b>HERITAGE INTERPRETATION</b>					
E4	Within 12 months of the issue of the first Occupation Certificate for the Locomotive Workshop, the Applicant shall implement the proposals and recommendations of the approved Stage 2 Heritage Interpretation Plan for the Locomotive Workshop, including the physical elements and digital elements associated with the travelator (under SSD 8517).	<ul style="list-style-type: none"> <li>Interview with Mirvac (Philippa Williams, Assistant Development Manager) and Curio Projects (Andre Fleury) on 17/9/2020.</li> </ul>	An occupation certificate for SSD 8449 has not yet been issued.	Not triggered	
E5	Future development applications must ensure that fit out works are consistent with the approved Stage 2 Heritage Interpretation Plan.	<ul style="list-style-type: none"> <li>Interview with Mirvac (Philippa Williams, Assistant Development Manager) and Curio Projects (Andre Fleury) on 17/9/2020.</li> <li>Heritage Impact Statement RE' Cocktail Bar, Locomotive Workshops Bays 8/9 Annexe, prepared by Curio Projects (for Drinkslab), 24 August 2020.</li> </ul>	Mirvac advised that tenants are required to follow the Mirvac tenant fit-out guidelines but each tenant is responsible for obtaining their own development consent and construction certificate. Five tenants have already submitted a development application and associated Heritage Impact Statement (HIS). The HISs have been prepared by Curio Projects (the heritage consultant used by Mirvac) which allows for alignment with the heritage objectives for the Locomotive Workshops. The Auditors reviewed a sample of HISs to confirm that these have been prepared with reference to the Mirvac HIS, heritage impact plan and tenancy fit-out guidelines.	Compliant	
<b>ONGOING CURATION, INTERPRETATION AND CONSERVATION</b>					
E6	Within 12 months of the issue of the first occupation certification, the applicant must prepare a strategy in consultation with the Heritage Council and Council in regard to the on-going management of the cultural heritage tourism initiatives		The first occupation certificate for SSD 8449 has not yet been issued.	Not triggered	

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	including curatorial programs, interpretation updates, and repairs and maintenance to moveable heritage assets. The strategy must include detail of ongoing funding.				
<b>SYDNEY WATER COMPLIANCE</b>					
E7	A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.	<ul style="list-style-type: none"> <li>Sydney Water, Subdivider / Developer Compliance Certificate, Case No. 184358, 20/05/20</li> </ul>	A Section 73 Compliance Certificate was issued on 20/05/20.	Compliant	
<b>OCCUPATION CERTIFICATE</b>					
E8	An Occupation Certificate must be obtained from the PCA prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020.</li> </ul>	The first occupation certificate for SSD 8449 has not yet been issued. There are currently no tenants occupying new or altered portions of Bays 5-15 (an existing tenant remains in Bay 14).	Not triggered	
<b>MECHANICAL VENTILATION</b>					
E9	Following completion, installation and testing of all the mechanical ventilation systems, the Applicant shall provide evidence to the satisfaction of the PCA, prior to the issue of the relevant Occupation Certificate, that the installation and performance of the all mechanical systems complies with: (a) the BCA; (b) Australian Standard AS1668 and other relevant codes; (c) the development consent and any relevant modifications; and			Not triggered	

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	(d) any dispensation granted by the New South Wales Fire Brigade and having regard to any approvals issued by the Independent Liquor and Gaming Authority (ILGA).				
<b>TRAVEL DEMAND MANAGEMENT</b>					
E10	<p>The Applicant shall prepare a Work Place Travel Plan, in consultation with TfNSW, for the proposed development which must be approved by the Planning Secretary prior to issue of the first Occupation Certificate for Locomotive Workshop. The Plan shall be included in the staff induction information for incoming employees and shall aim to achieve the following:</p> <p>(a) Facilitate the sustainable and safe travel of staff;</p> <p>(b) Encourage high modal share for public transport, cycling and walking to work with flexible working arrangements;</p> <p>(c) Provide appropriate facilities at the site to enable staff and visitors to commute by sustainable transport modes;</p> <p>(d) Reduce the need to travel for work related activities;</p> <p>(e) Avoid parking on local streets in residential areas;</p>	<ul style="list-style-type: none"> <li>Email from TfNSW (David Surplice) to Mirvac (Nathan McCoy), Re: SSD 8517/ SSD 8449 (Locomotive Workshop) – Work Place Travel Plan, 13/02/20</li> <li>Letter from DPIE (Anthony Witherdin) to Mirvac (Nathan McCoy), re approval of Workplace Travel Plan for SSD 8449 (Bays 5-15), 02/03/20</li> <li>Workplace Travel Plan – Locomotive Workshop, South Eveleigh, Reference N183400, Issue B, 07/02/2020 prepared by GTA Consultants (NSW) Pty Ltd.</li> </ul>	<p>The Work Place Travel Plan was submitted to DPIE on 13 February 2020 and approved on 2 March 2020. DPIE approval was granted before the issue of the first Occupation Certificate, which is yet to be issued.</p> <p>Documentation provided confirms TfNSW was consulted during the preparation of the Work Place travel Plan, and comments incorporated into the final plan.</p> <p>The Auditors reviewed the Work Place Travel Plan and confirm it addresses items a) to h) of this Condition.</p> <p>Mirvac advised that the Work Place Travel Plan will be issued to all tenants when they start trading. The Plan has not yet been issued as there are no tenants currently trading.</p>	Compliant	

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	(f) Establish a means of monitoring the mode share of employees and visitors; (g) Raise awareness of sustainable transport amongst staff; and (h) Reduce the number of car journeys associated with business travel by staff and visitors.				
<b>POST CONSTRUCTION DILAPIDATION REPORT</b>					
E11 (as modified, SSD 8449 MOD 6)	Prior to commencement of the first use of the commercial bays (Bays 5-15) of the Locomotive Workshop: (a) the Applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads; (b) the report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must: (c) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and (d) have written confirmation from the relevant authority that there is			Not triggered	

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	no adverse structural damage to their infrastructure and roads. (e) a copy of this report is to be forwarded to the Secretary and each of the affected property owners.				
<b>FIRE SAFETY CERTIFICATION</b>					
E12	Prior to the issue of the relevant Occupation Certificate, a Fire Safety Certificate shall be obtained for all the relevant Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and PCA and be prominently displayed in the building.	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020.</li> </ul>	The first occupation certificate for SSD 8449 has not yet been issued.	Not triggered	
<b>STRUCTURAL INSPECTION CERTIFICATE</b>					
E13	A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the PCA prior to the issue of the relevant Occupation Certificate and/or use of the premises. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the PCA after: (a) the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020.</li> </ul>	The first occupation certificate for SSD 8449 has not yet been issued.	Not triggered	

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	(b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.				
<b>WASTE DISPOSAL</b>					
E14	All waste generated on site must be classified and disposed of in accordance with the Waste Classification Guidelines (DECC 2008).	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development Manager, Zac Langsford, Assistant Development Manager), 17/09/2020.</li> </ul>	Occupation and commencement of use of Bays 5-15 (excluding existing tenant in Bay 14) had not occurred during the Audit Period. Mirvac have yet to prepare an Operational Waste Management Plan for Bays 5-15.	Not triggered	
E15	Prior to the issue of the first Occupation Certificate for Bays 5-15, the building owner must ensure that there is a contract with a licensed contractor for the removal of all waste. No garbage is to be placed on the public way, e.g. footpaths, roadways, plazas, reserves, at any time.	<ul style="list-style-type: none"> <li>Service Agreement for Waste Management Services for NSW Office Assets, 16/03/16</li> <li>Letter from Mirvac to Sues Recycling &amp; Recovery Pty Ltd, Extension of Waste Management Service Agreement NSW Office Assets, 16/04/18</li> </ul>	An Occupation Certificate has not been issued for Bays 5-15.	Not triggered	
E16 (as modified, SSD 8449, MOD 6)	Prior to the issue of any Occupation Certificate, details shall be submitted to the satisfaction of the PCA that waste handling works have been completed in accordance with Condition B9.		An Occupation Certificate has not been issued for Bays 5-15.	Not triggered	
<b>ACOUSTIC COMPLIANCE</b>					
E17	Prior to the issue of the first Occupation Certificate, or commencement of use, whichever	<ul style="list-style-type: none"> <li>Interviews with Mirvac (Nathan McCoy, Trainee Development</li> </ul>	An Occupation Certificate has not been issued for Bays 5-15.	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	occurs first, evidence shall be submitted to the PCA demonstrating compliance with all recommendations of the Acoustic Assessment, prepared by Arup, and amended reports submitted as part of the EIS and the development achieves compliance with the requirements of State Environmental Planning Policy (Infrastructure) 2007 and other guidelines applicable to the development.	Manager, Zac Langsford, Assistant Development Manager), 17/09/2020.			
<b>LOADING DOCK MANAGEMENT PLAN</b>					
E18	Prior to the issue of the first Occupation Certificate for the Locomotive Workshop, a Loading Dock Management Plan shall be prepared in consultation with the Sydney Coordination Office and Council and submitted to the Planning Secretary for approval. The Plan is to apply to all tenancies within the Locomotive Workshop to promote safe and efficient operation of the loading area in Bay 1-2 north and Innovation Plaza, the on-street loading spaces on Locomotive Street and to minimise conflicts with pedestrian movements. The Loading Dock Management Plan shall include the following: (a) allocation of loading spaces	<ul style="list-style-type: none"> <li>Letter from Mirvac (Zac Langsford) to DPIE (Carolyn McNally), Re: Locomotive Workshops – Condition E19 SSD 8517 (Bays 1-4s) &amp; Condition E18 SSD 8449 (Bays 5-15) – Loading Dock Management Plan, 03/07/20</li> <li>South Eveleigh Locomotive Workshop Loading Dock Management Plan, SSD 8517 &amp; 8440, Revision 2, Mirvac, 02/06/20</li> <li>Letter from DPIE (Anthony Witherdin) to</li> </ul>	<p>Various emails were provided confirming consultation with the Sydney Coordination Office (TfNSW) and Council on the Loading Dock Management Plan (LDMP) had occurred.</p> <p>The Loading Dock Management Plan (LDMP) and evidence of consultation with the Sydney Coordination Office and Council was submitted to DPIE on 3 July 2020 and approved on 29 July 2020.</p> <p>A review of the LDMP by the Auditors against the requirements of this condition confirm the plan satisfies this condition.</p> <p>Although an occupation certificate for Bays 5 – 15 has not yet been issued, the requirements of the condition have been met.</p>	Compliant	



<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	(b) restrictions on delivery times to ensure all loading activities are undertaken outside of peak pedestrian hours, being before 8am and after 6pm, all days (c) management of conflicts between vehicles and pedestrians (d) all vehicles are to exit the loading dock in a forward direction (e) controls on duration of stays (f) measures to ensure there is no queuing of delivery vehicles including details of alternate parking locations to redirect vehicles when queuing occurs (g) procedures for tradesperson access and parking (h) truck access routes (i) detail of physical landscaping and street furniture within Innovation Plaza to passively manage risks associated with trucks reversing into the loading dock (j) active management measures (eg traffic controllers) (k) evidence of consultation with the Sydney co-ordination office and council in respect of the loading dock management plan must be submitted to the secretary.	Mirvac (Zac Langsford), Re: Locomotive Workshop (SSD 8517 and SSD 8449) Loading Dock Management Plan, 29/07/20			
<b>SERVICE VEHICLE ACCESS ROUTE</b>					
E19	Prior to the issue of the first Occupation Certificate for the	<ul style="list-style-type: none"> <li>Local Pedestrian Cycling and Traffic</li> </ul>	The minutes of the Local Pedestrian Cycling and Traffic Calming Committee indicate that on 19/03/20 they	Compliant	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	<p>Locomotive Workshop, the Applicant is to obtain endorsement from Council's Local Pedestrian and Calming Committee to use servicing access route Option 1 (Rosehill Street and Margaret Street) to the ATP site. This includes undertaking the required changes to 'no stopping' parking restriction on Rosehill Street.</p> <p>If endorsement is not obtained from Council's Local Pedestrian and Traffic Calming Committee, evidence must be provided to the satisfaction of the Planning Secretary, prior to the issue of the first Occupation Certificate, before Option 2 (Rosehill Street, Marian Street and Cornwallis Street) can be used for servicing vehicle access to the Locomotive Workshop.</p>	<p>Calming Committee, Meeting No 2020/02, Minutes, 19/03/20</p> <ul style="list-style-type: none"> <li>• Emails between Mirvac and Philip Chun, SSD 8517 - Condition E20 (Service Vehicle Access Route), from 06/06/20 to 29/06/20</li> <li>• Photo showing a No Parking zone</li> </ul>	<p>endorsed Mirvac's proposed changes to the parking restrictions in Rosehill St to a no parking zone to enable the servicing access route Option 1 (Rosehill Street and Margaret Street) to the Locomotive Workshop, which was prior to the issue of the first Occupation Certificate for Bays 5-15, which is yet to be issued.</p>		
<b>STORMWATER</b>					
E20	<p>All works for the disposal of stormwater and drainage are to be implemented in accordance with the approved plans, including:</p> <p>(a) a works as executed survey must be prepared to the satisfaction of the PCA and a copy submitted to Council</p> <p>(b) a hydraulic compliance certificate and calculation sheet</p> <p>(c) evidence of Sydney Waters acceptance of the works as executed documentation</p>		<p>Details of the proposed stormwater disposal and drainage were completed and approved by the PCA in the prior audit period. Implementation is not yet complete and Installation Compliance Certificates have not yet been issued.</p>	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
E21	Prior to the issue of the relevant Occupation Certificate, maintenance schedules of the proposed water sensitive urban design and drainage measures must be submitted to and approved by the PCA and a copy provided to Council.		An Occupation Certificate has not been issued for Bays 5-15.	Not triggered	
E22	Prior to the issue of any Occupation Certificate, a Positive Covenant must be registered on the title for all drainage systems involving On-Site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection.		An Occupation Certificate has not been issued for Bays 5-15.	Not triggered	
<b>EXTERNAL LIGHTING</b>					
E23 (as modified, SSD 8449 MOD 6)	External Lighting shall comply with AS 4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Prior to commencement of the first use of the commercial bays (Bays 5-15) of the Locomotive Workshop the Applicant shall submit to the PCA evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.		An Occupation Certificate has not been issued for Bays 5-15.	Not triggered	
E24	The Department must be notified in writing of the dates of commencement of operation at least 48 hours before operation is likely.		An Occupation Certificate has not been issued for Bays 5-15.	Not triggered	
E25 (as modified,	The MCMP is to be updated and completed, in consultation with the Heritage Council and Council, within	<ul style="list-style-type: none"> <li>Modification of Development Consent for SSD 8449 (MOD</li> </ul>	An Occupation Certificate has not been issued for Bays 5-15. Mirvac advised that a draft MCMP (covering SSD	Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
SSD 8449 MOD 6)	12 months of the issue of the first Occupation Certificate for the Locomotive Workshop, to provide detailed recommendations on the future conservation, management, display conditions, storage, security, and identify the location and management of all moveable heritage.	6), Condition B11, dated 05/02/2020. <ul style="list-style-type: none"> <li>Interview with Mirvac (Philippa Williams, Assistant Development Manager) and Curio Projects (Andre Fleury) on 17/9/2020.</li> </ul>	8517 and 8449) has been prepared although has not yet included consultation with Heritage NSW or Council.		
<b>PART F POST OCCUPATION</b>					
<b>WORK PLACE TRAVEL PLAN</b>					
F1	The Applicant shall implement the Work Place Travel Plan (WTP) (Condition E13), ensuring that its annual review presented to the Planning Secretary results in sufficient facilities being provided to meet the demand for sustainable travel choices, including facilities for visitors within the public domain.			Not triggered	
<b>WAYFINDING</b>					
F2	The Applicant shall implement wayfinding strategies, prepared in consultation with Council and TfNSW, to assist with the increasing mode share of walking and cycling. This shall include signage to other destinations external to the site, including transport nodes and tourist destinations.			Not triggered	
<b>PUBLIC WAY TO BE UNOBSTRUCTED</b>					
F3	The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.			Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
<b>LOADING AND UNLOADING</b>					
F4	All loading and unloading of service vehicles in connection with the use of the premises shall be carried out in accordance with the requirements of Condition E21.			Not triggered	
F5	The size of vehicles servicing the Locomotive Workshop is not to exceed 10.2 m in length.			Not triggered	
<b>NOISE CONTROL – GENERAL</b>					
F6	The emission of noise associated with the use of Locomotive Workshop, the operation of any mechanical plant and equipment, excluding the operations of the Blacksmith, shall comply with the following criteria: (a) the LAeq, 15minute noise level emitted from the use must not exceed the background noise level LA90, 15minute by more than 5dB when assessed at the boundary of any affected residence property; (b) the LAeq,15minute noise level shall be adjusted for modifying factors in accordance with Appendix 2 of the Noise Guide For Local Government published by DECCW; (c) the background noise level shall be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055.1-1997-Description and measurement of environmental noise; and			Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	(d) the use of the premises shall be controlled so that any emitted noise is at a level so as not to create an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 to any affected residence.				
<b>NOISE CONTROL – MECHANICAL PLANT AND EQUIPMENT</b>					
F7	Noise associated with the use of mechanical plant and equipment must not give rise to any one or more of the following: (a) transmission of 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 to any affected receiver; and (b) a sound pressure level at the boundary of any affected receiver that exceeds the background (LA90, 15minutes) noise level by more than 5dB. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS1055. <i>Note: The method of measurement of vibration being carried out in accordance with 'assessing Vibration; Technical Guidelines' – DEC (EPA) AS1055 for sound level measurements</i>			Not triggered	
<b>ANNUAL FIRE SAFETY CERTIFICATION</b>					
F8	The owner of the building shall certify to Council or the relevant			Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
	authority every year that the essential services installed in the building for the purposes of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard. This purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of spread of fire.				
<b>HERITAGE DOCUMENTATION</b>					
F9	The Conservation Management Plan (CMP), Heritage Asset Management Strategy (HAMS) and Moveable Collections Management Plan (MCMP) for the site must be updated following completion of the works at the Locomotive Workshop. All documentation is to be completed and submitted to the Heritage Council for endorsement within 24 months of the first Occupation Certificate for Locomotive Workshop. Once endorsed, electronic copies of the updated heritage management documents are to be provided to the City of Sydney Council for its own records.			Not triggered	

<b>Table A: Compliance with SSD 8449</b>					
<b>APPROVAL (ID)</b>	<b>REQUIREMENT</b>	<b>EVIDENCE COLLECTED</b>	<b>INDEPENDENT AUDIT FINDINGS AND RECOMMENDATIONS</b>	<b>COMPLIANCE STATUS</b>	<b>NC #</b>
<b>EXTERNAL LIGHTING</b>					
F10	The intensity of lighting of the site, the hours of illumination and the location of the lighting must not cause objectionable glare or injury to the amenity of the neighbourhood. If in the opinion of the Certifying Authority or the Secretary, objectionable glare or injury is likely to be caused, the intensity, hours of illumination and location of the lighting must be varied so that it does not cause objection or injury.			Not triggered	
<b>HOURS OF OPERATION</b>					
F11	The commercial premises may operate 24 hours a day, 7 days a week.			Not triggered	
<b>LOADING DOCK</b>					
F12	The approved Loading Dock Management Plan is to be provided to all tenants annually (at least).			Not triggered	
<b>HOURS OF OPERATION – BLACKSMITH</b>					
F13	The Blacksmith is permitted to operate 24 hours a day, 7 days per week.			Not triggered	



## **APPENDIX B**

### **INDEPENDENT AUDIT DECLARATION FORM**

## INDEPENDENT AUDIT DECLARATION FORM


Project Name:	Locomotive Workshop (Bays 5 – 15)
Consent Number:	Development Consent SSD 8449
Description of Project:	Adaptive reuse of the Locomotive Workshop (Bays 5 – 15) for uses including: <ul style="list-style-type: none"><li>• a maximum of 27,458 m<sup>2</sup> GFA for commercial premises including 156 m<sup>2</sup> for retail uses</li><li>• associated heritage conservation works</li><li>• external illumination and signage.</li></ul>
Project Address:	2 Locomotive Street, Australian Technology Park, Eveleigh, New South Wales
Proponent:	Mirvac Projects Pty Ltd
Title of Audit:	Locomotive Workshop - Bays 5-15 2020 Independent Environmental Audit
Date:	26 October 2020

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

- the Audit has been undertaken in accordance with relevant condition(s) of consent and generally in accordance with the *Independent Audit Post Approval Requirements (Department 2018)*;
- the findings of the Audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the Audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the Audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this Audit except as otherwise declared to the Department prior to the Audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

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

Name of Auditor: Victoria Sedwick  
Signature:   
Qualification: Exemplar Global Lead Auditor Accreditation No.13180  
Company: Ramboll Australia Pty Ltd  
Company Address: PO Box 560, North Sydney NSW 2060

## **APPENDIX C**

### **PLANNING SECRETARY AUDIT TEAM AGREEMENT**

Nathan McCoy  
Trainee Development Manager  
Level 28,  
200 George Street,  
**SYDNEY NSW 2000**

28 August 2020

Dear Mr. McCoy,

**Eveleigh Locomotive Workshop Project (Bays 5 – 15)**  
**Agreement of Independent Auditor**

I refer to your request (SSD-8449-PA-9) for the Planning Secretary's approval of suitably qualified persons to prepare the second Independent Environmental Audit for the Eveleigh Locomotive Workshop Project (Bays 5 – 15) approved under SSD 8449.

The Department has reviewed the nominations and information you have provided, and is satisfied that these experts are suitably qualified and experienced. Consequently, I can advise that the Planning Secretary approves the appointment of Victoria Sedwick as the Lead Auditor, and the following support team to prepare the Independent Environmental Audit:

- David Ford,
- Emily Rowe,
- Vanessa White, and
- Rosebud Yu.

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

If you wish to discuss the matter further, please contact Senior Compliance Officer Hala Fua by phone on 8837 6328 or by email on [hala.fua@planning.nsw.gov.au](mailto:hala.fua@planning.nsw.gov.au).

Yours sincerely



Julia Pope  
Team Leader Compliance Metro  
As nominee of the Planning Secretary

## **APPENDIX D**

### **SITE INSPECTION PHOTOGRAPHS**



Photo 1: Site Notice at Mirvac Site Office Entrance with Structural Engineer's details



Photo 2: Screening / hoarding along Locomotive Street


Title:	2 <sup>nd</sup> Independent Environmental Audit SSD 8449	Approved:	Project-No.:	Date:
Site:	Locomotive Workshop Bays 5 - 15, Eveleigh	VS	318001037	22/10/20
Client:	Mirvac Projects Pty Ltd			





Photo 3: Bay 12 works in progress



Photo 4: Secured entry at Locomotive Street, using boom gate, and use of a traffic controller


Title:	2 <sup>nd</sup> Independent Environmental Audit SSD 8449	Approved:	Project-No.:	Date:
Site:	Locomotive Workshop Bays 5 - 15, Eveleigh	VS	318001037	22/10/20
Client:	Mirvac Projects Pty Ltd			





Photo 5: Public way – no obstructions



Photo 6: Hazardous chemical pail inside general / recyclable waste skip bin


Title:	2 <sup>nd</sup> Independent Environmental Audit SSD 8449	Approved:	Project-No.:	Date:
Site:	Locomotive Workshop Bays 5 - 15, Eveleigh			
Client:	Mirvac Projects Pty Ltd	VS	318001037	22/10/20
				





Photo 7: Flammable liquids cabinet in Bay 15



Photo 8: Inappropriate storage of gas cylinders near combustible materials


Title:	2 <sup>nd</sup> Independent Environmental Audit SSD 8449	Approved:	Project-No.:	Date:
Site:	Locomotive Workshop Bays 5 - 15, Eveleigh	VS	318001037	22/10/20
Client:	Mirvac Projects Pty Ltd			



Photo 9: Inappropriate storage of gas cylinders near combustible materials



Photo 10: Inappropriate storage of gas cylinders near combustible materials

Title:	2 <sup>nd</sup> Independent Environmental Audit SSD 8449	Approved:	Project-No.:	Date:
Site:	Locomotive Workshop Bays 5 - 15, Eveleigh	VS	318001037	22/10/20
Client:	Mirvac Projects Pty Ltd	