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SSD 8517 LOCOMOTIVE WORKSHOP – BAYS 1-4A 2021 INDEPENDENT ENVIRONMENTAL AUDIT

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This document is issued to Mirvac Projects Pty Ltd for the purposes of an Independent Environmental Audit of the Locomotive Workshop Bays 1 – 4a development at South Eveleigh. It should not be used for any other purpose.

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ACRONYMS AND ABBREVIATIONS

AQMP	Air Quality Management Plan
BCA	Building Code of Australia
CC	Construction Certificate
CLG	Community Liaison Group
CMP	Conservation Management Plan
CNVMP	Construction Noise and Vibration Management Plan
COVID-19	Coronavirus disease 2019
CPTMP	Construction Pedestrian and Traffic Management Plan
CRPAR	Compliance Reporting Post Approval Requirements
CWMP	Construction Waste Management Plan
DPIE	NSW Department of Planning, Industry & Environment
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EMS	Environmental Management System
EPA	NSW Environment Protection Authority
EPL	Environment Protection Licence
FSC	Fire Safety Certificate
FSS	Fire Safety Statement
HAMS	Heritage Asset Management Strategy
HIP	Heritage Interpretation Plan
HIS	Heritage Impact Statement
HSE	Health, Safety and Environment
ID	Identification number
IEA	Independent Environmental Audit
IAPAR	Independent Audit Post Approval Requirements
IOC	Interim Occupation Certificate
LDMP	Loading Dock Management Plan
LTEMP	Long Term Environmental Management Plan
MCMP	Moveable Collections Management Plan
MOD	Modification of Development Consent
NC	Non-compliance
NSW	New South Wales

OC	Occupation Certificate
OPI	Opportunity for improvement
OWMP	Operational Waste Management Plan
PCA	Principal Certifying Authority
PCBC	Philip Chun Building Compliance
PV	Photovoltaic
RAP	Remedial Action Plan
REMP	Remediation Environmental Management Plan
SAR	Site Audit Report
SAS	Site Audit Statement
SSD	State Significant Development
TfNSW	Transport for NSW
VENM	Virgin Excavated Natural Material
WPTP	Work Place Travel 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 Retail Development, which is the subject of this report, is required under consent Conditions C7 to C9 of SSD 8517. The IEA for the Commercial Development under SSD 8449 will be reported separately.

Under Condition A23 of SSD 8517, the development will be carried out in six stages. This Audit is the third 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 the second IEA, CCs for Stages 3 (CC3) and 4 (CC4) had also been issued with structural, services and base build fit out works in progress and CCs for sub-stages had also been issued (CC2a, CC4a, CC4b and CC5a).

For this third IEA, a CC for Stage 6 (CC6) had been issued for public domain works in Locomotive Street. There had also been a further modification to the consent (MOD 9) and CCs for sub-stages of work were also issued (CC3a, CC4c, CC5b, CC5c).

The objective of the Audit was to independently and objectively assess the environmental performance and compliance status of the project under SSD 8517 during the Audit Period. The Audit Period was from 18 September 2020 to 15 October 2021. A site inspection was conducted on 7 October 2021.

The Auditors assessed the development to be generally compliant with the conditions of approval in Development Consent SSD 8517, particularly in relation to its environmental performance. Ten non-compliances were identified of which one had been notified to DPIE during the Audit Period. Nine out of the twelve non-compliances are considered to be administrative in nature and none of the non-compliances have resulted in a direct impact on the environment. The non-compliances are summarised as follows:

- **NC1 (Condition B10)** – Whilst there have been no reported complaints for the Locomotive Workshop during the Audit Period, Mirvac has not been regularly recording enquiries and complaints within the wider South Eveleigh Precinct into the Register since 12 February 2021. The Auditors recommend that Mirvac resume regular reporting within the Complaints Register.
- **NC2 (Condition B46)** – Mirvac advised that DPIE had not been provided a copy of the Complaints Register every 6 months (i.e. March and September 2021), even though there had been no complaints relating to the Blacksmith operations. Mirvac should submit a copy of the Complaints Register even if there are no complaints against the Blacksmith operations.
- **NC3 (Condition C2)** – Mirvac had not notified DPIE 48 hours prior to the commencement of use / operations for IOC2, IOC4 and IOC5. The Auditors recommend that increased effort is placed on populating these dates in the tracking register to assist in demonstrating compliance.

- NC4 (Condition C6) – The Pre-Operation Compliance Report and the Compliance Report 3 were not made publicly available within the required 60-day timeframe. No recommendation is made as the Pre-Operation Compliance Report and the Compliance Report 3 were made publicly available.
- NC5 (Condition D19) – A site notice was missing from the gate to the eastern site compound. Mirvac should install a site notice at the smaller eastern site compound.
- NC6 (Condition D24) – The trees located in the smaller remaining eastern site compound within Innovation Plaza were no longer protected and surrounded by equipment. The Auditors recommend that tree guards be re-instated on the trees within the eastern site compound until completion of construction works.
- NC7 (Condition E2) – The SAR/SAS for the Travelator was not issued to Council and DPIE within the 30-day timeframe required by Clauses 17 and 18 of SEPP 55 - Remediation of Land. Given that SAR/SAS for the Travelator was the last SAR/SAS for Bays 1-4a and the SAR/SAS for Stage 2 remediation of the Locomotive Workshop (SSD 8449) was also issued in March 2021, the Auditors make no recommendation.
- NC8 (Condition E3) – There is no evidence that regular (six monthly) inspections of the capping arrangement have been conducted in accordance with LTEMP, EMP01.
- NC9 (Condition E11) – The Work Place Travel Plan was not issued to all trading tenants. Mirvac should issue this plan to all currently trading tenants and ensure it is included in staff induction information provided to incoming tenants prior to the start of trading.
- NC10 (Condition F15) – Mirvac could not confirm that the Loading Dock Management Plan had been provided to all operating tenants at least annually. Mirvac should ensure this plan is included as part of the Tenant Induction Pack and is provided at least annually to all tenants.

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. Recommendations have been made in relation to nine non-compliances and eleven 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 larger 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 Retail Development, which is the subject of this report, is required under consent Conditions C7 to C9 of SSD 8517. The IEA for the Commercial Development under SSD 8449 will be reported separately.

Under Schedule 2 of SSD 8517, 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 8517, the development will be carried out in six 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	Façade and roof
Stage 6	Public Domain

An Audit Program for the conduct of the IEAs was prepared for Mirvac by Ramboll and was submitted to 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 third IEA for the development

At the time of the first IEA in 2019 (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 the second IEA, CCs for Stages 3 (CC3) and 4 (CC4) had been issued with

structural, services and base build fit out works in progress and CCs for sub-stages had also been issued:

- CC2a- modifications for Stage 2a (in-ground works – travelator);
- CC4a – Stage 4a (base building fit out);
- CC4b – Stage 4b (Blacksmith – electrical); and
- CC5a – Stage 5a (skylights).

For this third IEA, a CC for Stage 6 (CC6) had been issued for public domain works in Locomotive Street. There had also been a further modification to the consent (MOD 9) and CCs for sub-stages of work were also issued. These included:

- CC3a – Stage 3a (Structure – travelator)
- CC4c – Stage 4c (Travelator services and fitout)
- CC5b – Stage 5b (Photovoltaic (PV) panels)
- CC5c – Stage 5c (Worker’s wall annex)

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 16 September 2021 (**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 8517 during the Audit Period.

2.4 Audit Scope

The scope for the Audit is taken from the Audit Program, which was based on SSD 8517 Condition C8, as follows:

"Audit 3 will primarily cover environmental performance and consent conditions relevant to Prior to Occupation/Commencement of Use (Part E) and to Post Occupation (Part F). It will also cover the During Construction period since Audit 2 and implementation of recommended actions from Audit 2.

Conditions to be audited:

- *All Part A conditions of consent (Administrative Conditions);*
- *Part B conditions of consent (Prior to Issue of Construction Certificate); Part C conditions of consent (Prior to Commencement of Works); and Part D conditions of consent (During Construction) if, at the time of Audit 2, they had not been triggered; were an ongoing requirement; or were not compliant and an audit recommendation made;*
- *All Part E conditions of consent (Prior to Occupation or Commencement of Use); and*
- *All Part F conditions of consent (Post Occupation).*

2.5 Audit Period

The date of the 2020 IEA site visit was on 17 September 2020. The site visit for this Audit was conducted on 7 October 2021. Interviews would typically be conducted during the site visit but due to COVID-19 transmission concerns, they were conducted remotely on 13th and 15th October 2021. Therefore, the Audit Period was from 18 September 2020 to 15 October 2021.

3. METHODOLOGY

The Audit was conducted generally in accordance with the Department's 2018 guideline Independent Audit Post Approval Requirements (IAPAR) (Department, 2018), as referenced in the consent. Ramboll notes that the Department's 2020 guideline has been used for this audit.

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, Rosebud Yu and Emily Rowe are certified Lead Auditors with Exemplar Global (Certificate No. 13180, 12305 and 204997, respectively). The Audit Team was endorsed by DPIE in a letter dated 16 September 2021 (**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 8517, which included all post approval documents prepared to satisfy the conditions relevant to these stages of work. At the time of this audit, one modification of Consent Conditions had been approved, being Modification 9 (MOD9). Four other modifications had been approved during the second audit (i.e. MOD4, MOD5, MOD6 and MOD8) and three modifications were approved during the first Audit (i.e. MOD1, MOD2 and MOD3).

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 8517;
- Management plans and other documentation as listed in Section 4.1;
- Complaints Register;
- Correspondence records;
- Previous Independent Audits for SSD 8517 and Applicant's response; and
- Compliance Reports for the construction period.

Develop audit plan

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

- 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; and
- 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 (Rosebud Yu and Emily Rowe) on 7 October 2021, and remote interviews were held on 13 and 15 October 2021. The Auditors did not inspect the Blacksmith's Workshop in Bays 1-2 for health and safety reasons, Bays 1-2 North as concrete was being laid, and Bays 3 and 4a (The Ground) as tenant fit-out works were in

progress and access was restricted. Where possible, these areas were viewed outside the area's boundary (e.g. from Level 1 or entrance) or from above on the First Floor. The following Mirvac personnel and consultants to Mirvac were interviewed during the site visit and subsequent interviews. Mirvac personnel who accompanied the Auditors during the site inspection are indicated by an asterisk (*):

- Nathan McCoy*, Assistant Development Manager, Mirvac
- Chris Callaghan*, Project Manager, Mirvac
- Harley Imber, Facilities Manager, Mirvac
- Daniel Newman, Facilities Manager, Mirvac
- Andre Fleury, Archaeologist / Heritage Specialist, Curio Projects

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

3.4 Consultation

The Auditors, via Mirvac, consulted DPIE concerning this Audit, prior to starting the audit. DPIE acknowledged the consultation and had no specific areas of concern in relation to the project that need to be included within the scope of the audit.

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 8517, 22 February 2019
- Modification of Development Consent SSD8517, dated 15/7/21 (MOD9)
- Construction Certificates SSD 8517 for: Stages 3a (Structure – Travelator), 4c (Travelator services & fitout), 5b (Photovoltaic panels), 5c (Worker’s wall annexe), and 6 (Public domain – Locomotive Street)
- Occupation Certificates SSD 8517 for: IOC2 (Blacksmith), IOC3 (Accessways for Bodyfit tenancy), IOC 4 (Travelator, pavilion, Bays 3-4a common areas and part public domain), and IOC5 (Additional public domain – Locomotive Street)
- Various management plans and technical reports
- Compliance Report 3 Locomotive Workshop SSD 8517
- Various PCA Matrix prepared by Philip Chun for various Construction Certificates
- South Eveleigh Community Liaison Group meeting invite for October 2021
- Complaints Register
- Maintenance logbook for EWP
- Example of a Noise Alert email
- Pre-start topics notice/ Daily Site Activities Briefing
- Heritage Impact Statement for tenants
- Various Installation Compliance Certificates and Structural Inspection Certificates issued by contractors/ Engineers
- Various communications from the Principal Certifying Authority to Mirvac
- Various Statements of Satisfaction from consultants confirming compliance with consent conditions
- Various communications from government stakeholders (e.g. Heritage NSW, DPIE, City of Sydney) confirming consultation and approval of requirements specified in consent conditions
- Fire Safety Certificates
- Mirvac’s tracking documents for construction certificates, occupation certificates, DA conditions and issue of documentation on project website
- Non-compliance notifications prepared by Mirvac
- Waste management documentation

Further details of the documents and communications reviewed are provided in the Audit Table in **Appendix A**.

4.2 Compliance Performance

The Auditors assessed the development to be compliant with SSD 8517 except for the non-compliances shown in Table 1. Refer to the Independent Audit Table (**Appendix A**) for full details of the identified non-compliances and compliance status of other conditions. Section 5.1 provides recommendations associated with each non-compliance below.

Table 1: Summary of Non-compliances - SSD 8517

NC#	Condition ID	Non-compliance
NC1	B10	Whilst there have been no reported complaints for the Locomotive Workshop during the Audit Period, Mirvac has not been regularly recording enquiries and complaints within the wider South Eveleigh Precinct into the Register since 12 February 2021.
NC2	B46	Mirvac advised that DPIE had not been provided a copy of the Complaints Register every 6 months (i.e. March and September 2021), even though there had been no complaints relating to the Blacksmith operations.
NC3	C2	Mirvac had not notified DPIE 48 hours prior to the commencement of use / operations for IOC2, IOC4 and IOC5.
NC4	C6	The Pre-Operation Compliance Report and the Compliance Report 3 were not made publicly available within the required 60-day timeframe.
NC5	D19	A site notice was missing from the gate to the eastern site compound.
NC6	D24	The trees located in the smaller remaining eastern site compound within Innovation Plaza were no longer protected and surrounded by equipment.
NC7	E2	The SAR/SAS for the Travelator was not issued to Council and DPIE within the 30-day timeframe required by Clauses 17 and 18 of SEPP 55 - Remediation of Land.
NC8	E3	There is no evidence that regular (six monthly) inspections of the capping arrangement have been conducted in accordance with LTEMP, EMP01.
NC9	E11	The Work Place Travel Plan was not issued to all trading tenants.
NC10	F15	Mirvac could not confirm that the Loading Dock Management Plan had been provided to all operating tenants at least annually.
Number of non-compliances identified:		10
Total number of compliance requirements:		172

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 8517 was conducted in 2020. An assessment of progress on the recommendations made in the 2020 IEA is presented in Table 2.

Table 2: Status of Previous Audit Recommendations - SSD 8517

Cond.	Audit Recommendation	Action
Non-compliance recommendations		
A13	The Auditors do not make a recommendation as the non-compliances have already been addressed.	No further action was required. Mirvac notified the DPIE of non-compliances on two occasions during the Audit Period in accordance with this Condition including timeframes.
A16	The Auditors suggest 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.	Mirvac noted in their response to the 2020 IEA that they would amend the A16 Spreadsheet so that it noted the document revision numbers, the dates they were reviewed and the dates the DPIE were notified that they were being reviewed. In addition, Mirvac was going to set up automatic monthly calendar reminders to ensure reviews, and notifications of these reviews were not missed in future. Mirvac now maintain a '211013 Master_Conditions Tracking.xlsx' spreadsheet in which a worksheet 'C3 - Access to Information' provides a lists of documents including approved strategies, plans and programs. The worksheet lists the 'Latest Review' and 'Latest DPIE Notification' dates for each document, which indicates they were all last reviewed and notified to DPIE on 06/09/21 following the issue of MOD9. This is an improvement relative to the previous audit finding.
A20	The Auditors do not make a recommendation as the Long Service Levy has been paid in full.	No further action was required.
C2	The Auditors do not make a recommendation as this non-compliance was notified to the DPIE on 18/06/20. However, refer below, C1 & C2, for an opportunity to improve.	Mirvac noted in their response to the 2020 IEA that they would amend both its CC and IOC tracking spreadsheets to record the dates by which DPIE notifications were required, as well as the actual dates that construction / operation commenced. The Auditors found that the CC Program tracking spreadsheet (now titled 211013 Master_Conditions Tracking' spreadsheet) now includes: a) an additional column labelled 'C2 Notice Date' (in the CC Program worksheet) and b) two columns labelled "DPIE Notification" and 'Commencement of Operation' (in the OC Program worksheet). However, many of the cells are not populated with a date (but rather by an 'N/A' or are blank) for the corresponding construction or occupation stage, and therefore the information cannot demonstrate that DPIE were notified before the commencement of construction or operation. Whilst there is an improvement in recording DPIE notification dates, this is a repeat non-compliance. The Auditors recommend that increased effort is placed on populating these dates in the tracking register to assist in demonstrating compliance.
C5	It is recommended that Mirvac ensure that Construction Compliance Report 3 meets all of the requirements of the Compliance Reporting Post Approval Requirements (Department 2018).	Mirvac received a direction from DPIE to revise Compliance Report 2 and subsequently held a teleconference call with DPIE to improve their understanding of Compliance Reporting Post Approval Requirements (CRPAR) (Department, 2018) (CRPAR 2018) and DPIE requirements. Mirvac revised and re-issued Compliance Report 2 to meet the CRPAR 2018 and ensured that Compliance Report 3 and the Pre-Operation Compliance Report were prepared in accordance with CRPAR 2018.
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	Mirvac indicated in their response that they would add two new columns in its Access to Information spreadsheet being the date by which "the document is made available (i.e. approved if required)" (the Auditors assume this refers to the date the document was submitted to the

Cond.	Audit Recommendation	Action
	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.	<p>Department) and the date the document is made publicly available on its website.</p> <p>Mirvac’s tracking worksheet for access to information, ‘C3 – Access to Information’ in the ‘211013 Master_Conditions Tracking’ spreadsheet still does not indicate the date the document is submitted to the Department or the date the document is made publicly available.</p> <p>Mirvac notified the Department that they did not comply with this Condition during the Audit Period and therefore, it is a repeat non-compliance.</p>
Opportunity for Improvement Recommendations		
General	The Auditors recommend that Mirvac review the compliance tracking process to ensure that all notification and reporting requirements and deadlines are captured.	<p>Mirvac noted in their Compliance Report 3 that it was compliant with the conditions where notification and reporting by deadlines was required (e.g. C1, C2, C3, C9).</p> <p>The Auditors note that Mirvac has included in the ‘211013 Master_Conditions Tracking’ spreadsheet, a ‘LSL & Compliance Program’ worksheet that lists all the consent conditions and a column labelled ‘Timing/ Prior to’ that contains information such as deadline timings (e.g. within 7 days of incident, within 3 months, CC01, etc.) and a column labelled ‘Action By’ where some conditions have associated dates entered, although most are blank. Whilst this spreadsheet provides a basis for recording the consent compliance requirements and allows for due dates for the various types of notifications and reporting deadlines to be entered, it does not seem to be regularly updated. Similarly, as noted for condition C6, the ‘C3 – Access to Information’ worksheet 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 entirely effective in preventing these types of non-compliances and further improvements could be made as discussed in relation to specific conditions.</p>
B4	The Auditors recommend that Mirvac record actual commencement dates and times, as well as the date that CCs are received.	<p>Mirvac notified the Department that Stage 6 work in the public domain of Locomotive Street was planned to commence on 26/10/20. However, CC6 was not issued until 25/11/20. Mirvac advised that construction did not start until late November 2020 after CC6 had been issued due to a delay in the issue of CC6.</p> <p>As previously observed in the 2020 IEA, Mirvac have not been recording actual commencement dates as distinct from target dates and therefore, the Auditors cannot verify that work only commenced following issue of the relevant CC. The Auditors have relied largely on the interview as evidence. Mirvac had previously advised the Auditors 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. Whilst the Auditors considered Condition to be compliant, the Auditors recommend as a continuing OFI that Mirvac record actual commencement dates.</p>
B46	It is recommended a separate column be included in the complaints register to ensure a record of the location of any future complaints concerning the Blacksmith operations are included.	The Complaints Register records the locations of complaints.

Cond.	Audit Recommendation	Action
C2	<p>The Auditors consider that 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.</p> <p>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.</p> <p>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.</p>	Refer to the recommendation section for condition C2.
C3	<p>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.</p>	<p>As noted in condition C6, a list of the publicly available documents are recorded in the spreadsheet titled '211013 Master_Conditions Tracking' spreadsheet, which includes a separate worksheet, 'C3 – Access to Information'. This worksheet lists all documents to be made available on the projects' website and columns labelled 'Latest Revision', 'Availability', 'Timing', 'Latest Review', and 'Latest DPIE Notification'. Based on the information within the spreadsheet, the date for when it is not clear when documents are made publicly available as there is no specific date entered, only "Available" is entered in the 'Availability' column and the dates entered in the 'Latest DPIE Notification' column are all the same (i.e. 9/6/2021). Mirvac advised that there is a dedicated resource who manages the upload of documents to the projects' website and the population of this tracking register.</p> <p>As was recommended in the 2020 IEA, there is a continued OFI for Mirvac to 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>
C9	<p>The Auditors recommend that Mirvac implement a system of recording when documents are made publicly available.</p>	Refer condition C3.
E3	<p>The Auditors recommend that future LTEMPs:</p> <ul style="list-style-type: none"> • Include discussion of SSD 8517 regulatory requirements including Condition E3 and other conditions that are relevant (e.g. A11 and A13 relating to incident and non-compliance notification); • More clearly define the roles of the two relevant authorities, DPIE and Council, particularly in relation to maintaining the physical barrier which is part of the base building and subject to SSD 8517 requirements; and • Include updated reference to planning certificates issued under the Environmental Planning and Assessment Act 1979. 	<p>Based on review of the final LTEMP (JBS&G Australia Pty Ltd, Locomotive Workshop Stages 1A, 1B and 1C, Travelator Tunnel and Stage 2, Long Term Environmental Management Plan, South Eveleigh Precinct, 51142/135751 Rev 0, 26/02/21), the content of the LTEMP was improved to a degree in line with the recommends.</p>
E15	<p>The Auditors recommend that a means to ensure the appropriate classification of waste generated be prepared and implemented prior to commencement of use of Bays 1-4a and that waste contract(s) be reviewed and revised, if necessary, to cover all foreseeable waste</p>	<p>Mirvac undertook in their response to the 2020 IEA to prepare an Operational Waste Management Plan (OWMP) prior of commencement of use of the supermarket and roastery. Mirvac provided an OWMP prepared in 2017 (2017 OWMP) that has not been updated since then. Based on the available</p>

Cond.	Audit Recommendation	Action
	streams generated by the Locomotive Workshops.	<p>information, there is inconsistency between Mirvac’s 2017 OWMP and least one tenant’s OWMP and expectations in relation to disposal of liquids waste. There is currently no evidence that wastes are not being classified and disposed of in accordance with NSW EPA’s Waste Classification Guidelines.</p> <p>Therefore, as a continuing OFI, the Auditors recommend that Mirvac review and revise the 2017 OWMP to ensure that it addresses all of the expected waste streams likely to be generated by the various tenancies. The revised OWMP should be provided to the tenants to provide necessary information and requirements to the tenants in order to ensure that they will classify and dispose of wastes in accordance with the latest version of the NSW EPA Waste Classification Guidelines.</p>

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 with the exception of the 2017 OWMP for which an OFI has been recommended. It is also observed that relevant management plans, such as an updated OWMP, the Loading Dock Management Plan and the Work Place Travel Plan (WPTP) should be provided to tenants for their information and action. Activities at the development during the Audit Period were considered to be generally consistent with the management plans and sub-plans.

4.6 EMS

There is no project specific Environmental Management System (EMS) for the Locomotive Workshop redevelopment. The Auditors consider the various management plans 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 advised that no complaints regarding the Locomotive Workshop were received during the Audit Period. The Complaints Register notes the last complaint entry as 12 February 2021. Mirvac advised that the Register had not been regularly updated since that time due to restructuring of the Mirvac team and responsibility for maintenance of the Register was not re-assigned. Mirvac has now provided a dedicated resource for updating the Register (i.e. Guest Experience Assistant).

4.9 Incidents

No incidents requiring notification to the Department reportedly occurred during the Audit Period. Mirvac did not provide the incident register (ISystain) due to confidentiality reasons.

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 7 October 2021 accompanied by Mirvac personnel referred to in Section 3.4. Photographs taken during the site visit are provided in **Appendix D**.

4.12 Site Interviews

Meetings were held remotely after the site visit on 13 and 15 October 2021, 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 8517 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 8517

Condition	Opportunity for Improvement
B4	The dates for commencement of construction of the stages of construction are not recorded, which is a continuing OFI.
B6	The construction of car parking spaces may not have been fully implemented in accordance with the design, particularly in regard to the sign(s) for the taxi and drop off spaces.
B8	The minimum 46 visitor bicycle spaces may not have been installed in accordance with the drawing L_Base Master, Landscape Plan dated 01/06/17.
C3	The tracking register for making documents publicly available does not indicate the version number for listed documents.
C6	Mirvac’s tracking worksheet for access to information, ‘C3 – Access to Information’ in the ‘211013 Master_Conditions Tracking’ spreadsheet still does not indicate the date documents, including Compliance Reports, are submitted to the Department or the date the documents are made publicly available.
C9	Same OFI as for Condition C6, specifically in relation to IEA reports. Mirvac’s Version 2 response to the 2020 IEA was not available on the project website.
E8	The dates for commencement of occupation for parts of the building are not always recorded.
E12	Post-dilapidation reports for Bays 1-4a have been provided but Condition E12(b) to (e) requirements have not been completed.
E15	Mirvac undertook in their response to the 2020 IEA to prepare an Operational Waste Management Plan (OWMP) prior of commencement of use of the supermarket and roastery. Mirvac provided an OWMP prepared in 2017 (2017 OWMP) that has not been updated since then. Based on the available information, there is inconsistency between Mirvac’s 2017 OWMP and at least one tenant’s OWMP and expectations in relation to disposal of liquids waste.
F1	There is no evidence that the WPTP has undergone an annual review or that staff travel surveys have been conducted, although it is noted that it has not yet been a year since commencement of occupation of Bays 1-4a (05/11/20) and the COVID-19 pandemic significantly reduced travel demands during the Audit Period with work from home Public Health Orders.
F17	Some tenants may not have been notified in writing about the Blacksmith operations in accordance with this condition.

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 8517.

Table 4: Non-compliance Recommendations - SSD 8517

NC#	Condition	Recommendation
NC1	B10	The Auditors recommend that Mirvac resume regular reporting within the Complaints Register.
NC2	B46	Mirvac should submit a copy of the Complaints Register even if there are no complaints against the Blacksmith operations.
NC3	C2	The Auditors recommend that increased effort is placed on populating these dates in the tracking register to assist in demonstrating compliance.
NC4	C6	No recommendation is made as the Pre-Operation Compliance Report and the Compliance Report 3 were made publicly available.
NC5	D19	Mirvac should install a site notice at the smaller eastern site compound.
NC6	D24	The Auditors recommend that tree guards be re-instated on the trees within the eastern site compound until completion of construction works.
NC7	E2	Given that SAR/SAS for the Travelator was the last SAR/SAS for Bays 1-4a and the SAR/SAS for Stage 2 remediation of the Locomotive Workshop (SSD 8449) was also issued in March 2021, the Auditors make no recommendation.
NC8	E3	The Auditors recommend that inspections required under the LTEMP EMP01 be carried out.
NC9	E11	Mirvac should issue the Work Place Travel Plan to all currently trading tenants and ensure it is included in staff induction information provided to incoming tenants prior to the start of trading.
NC10	F15	Mirvac should ensure the Loading Dock Management Plan is included as part of the Tenant Induction Pack and is provided at least annually to all tenants.

5.2 Opportunity for Improvement Recommendations

Table 5 provides a summary of the additional continual improvement recommendations identified for SSD 8517as part of this Audit. Specific details are included in Appendix A.

Table 5: Opportunity for Improvement Recommendations - SSD 8517

Condition	Recommendation
B4	The Auditors recommend as a continuing OFI that Mirvac record actual commencement dates for construction.
B6	The Auditors recommend that the implemented car parking spaces be reviewed for compliance with the design plans (e.g. signage) and this Condition, and if it's found to be non-compliant, implement appropriate rectification.
B8	The Auditors recommend that Mirvac verify that DPIE is satisfied that the required number of bicycle spaces have been installed across the ATP under both SSD 8517 and SSD 7317.
C3	The Auditors recommend as a continuing OFI 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 notification deadline and upload deadline could also be included.
C6	The Auditors recommend as a continuing OFI that the date a report is submitted to the Department and the date that the report is made publicly available are recorded in the tracking register

Condition	Recommendation
C9	The Auditors recommend that Mirvac’s Version 2 response to the 2020 IEA be made publicly available.
E8	The Auditors recommend as an OFI that increased effort is placed on populating these dates in the tracking register to assist in demonstrating compliance. Consider tracking receipt of the tenants’ OC and/or inclusion of Mirvac’s Commercial Property tracking processes
E12	The Auditors recommend that the requirements of Condition E12 (b) to (e) be completed prior to commencement of first use of the commercial bays (Bays 5-15).
E15	The Auditors recommend as a continuing OFI, that Mirvac review and revise the 2017 OWMP to ensure that it addresses all of the expected waste streams likely to be generated by the various tenancies. The revised OWMP should be provided to the tenants to provide necessary information and requirements to the tenants in order to ensure that they will classify and dispose of wastes in accordance with the latest version of the NSW EPA Waste Classification Guidelines.
F1	The Auditors recommend that Mirvac conduct an annual review of the WPTP and implement the WPTP in accordance with this Condition.
F17	The Auditors recommend that Mirvac review the existing tenancy agreements and if a tenant has not already been advised in writing that the Blacksmith has development consent to operate 24 hours per day, 7 days per week, then Mirvac should do so and retain the records.

6. CONCLUSIONS

The Auditors assessed the development to be generally compliant with the conditions of approval in SSD 8517, particularly in relation to its environmental performance. Ten non-compliances were identified of which one had been notified to DPIE during the Audit Period. Nine out of the twelve non-compliances are considered to be administrative in nature and none of the non-compliances have resulted in a direct impact on the environment.

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. Recommendations have been made in relation to nine non-compliances and eleven opportunities for improvement.

APPENDIX A INDEPENDENT AUDIT TABLE

APPENDIX B INDEPENDENT AUDIT DECLARATION FORM

INDEPENDENT AUDIT DECLARATION FORM


Project Name:	Locomotive Workshop (Bays 1 – 4a)
Consent Number:	Development Consent SSD 8517
Description of Project:	Adaptive reuse of the Locomotive Workshop (Bays 1 – 4a) including: a maximum of 11,607 m2 GFA for uses including retail premises, function centre, educational establishment, information and education facility, artisan food and drink industry, general industrial (retention of Blacksmith) and recreational facility (indoor); a loading dock and travelator; associated heritage conservation works; public domain works; external illumination; and signage
Project Address:	2 Locomotive Street, Australian Technology Park, Eveleigh, New South Wales
Proponent:	Mirvac Projects Pty Ltd
Title of Audit:	SSD 8517 Locomotive Workshop – Bays 1 – 4a 2021 Independent Environmental Audit
Date:	5 November 2021

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

Notes:

- 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

APPENDIX D

SITE INSPECTION PHOTOGRAPHS