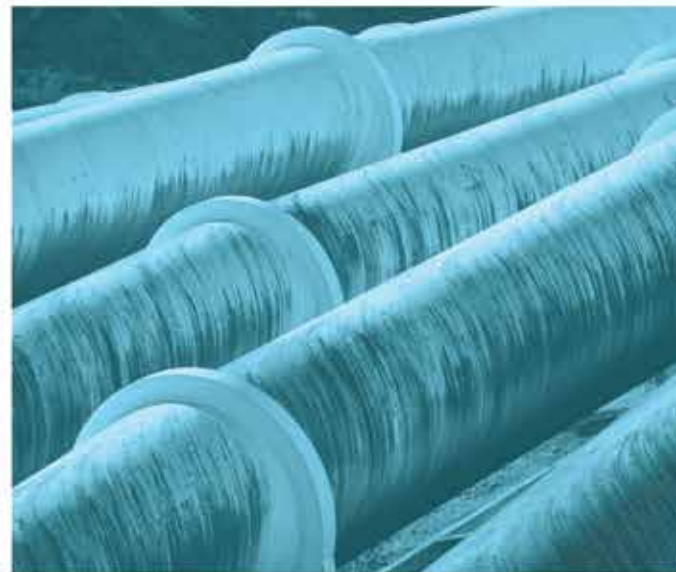




Rooty Hill Distribution Centre

Independent Environmental Audit 2021

Prepared for Holcim (Australia) Pty Ltd
March 2022





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Rooty Hill Distribution Centre

Independent Environmental Audit 2021

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March 2022

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Rooty Hill Distribution Centre

Independent Environmental Audit 2021

Report Number

J210310 RP#1

Client

Holcim (Australia) Pty Ltd

Date

22 March 2022

Version

v1 Final

Prepared by



Tanja Ibsen

Senior Environmental Scientist

22 March 2022

Approved by



Allan Young

National Technical Director, Urban and Regional Planning

22 March 2022

This report has been prepared in accordance with the brief provided by the client and has relied upon the information collected at the time and under the conditions specified in the report. All findings, conclusions or recommendations contained in the report are based on the aforementioned circumstances. The report is for the use of the client and no responsibility will be taken for its use by other parties. The client may, at its discretion, use the report to inform regulators and the public.

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Table of Contents

1	Introduction	1
2	Audit method	7
3	Audit context	12
4	Previous audit findings	16
5	2021 audit results	26
6	Audit summary	51

Appendices

Appendix A	Planning Secretary's approval of auditor
Appendix B	Site inspection photographs
Appendix C	Project approval and SoC compliance register
Appendix D	EPL 20672 compliance register
Appendix E	EPL surrender compliance register
Appendix F	Agency consultation letter example
Appendix G	Agency consultation responses

Tables


Table 1.1	Legal description of the site	1
Table 1.2	Audit scope	4
Table 2.1	Compliance assessment criteria	11
Table 3.1	Project summary	15
Table 4.1	Previous audit non-compliance summary as per 2018 audit	17
Table 4.2	Additional recommendations	25
Table 5.1	Approved product storage activities at Rooty Hill Regional Distribution Centre	28
Table 5.2	Notification and response from public authorities	35
Table 5.3	Noise monitoring summary	37
Table 5.4	Audit non-compliance	40
Table 5.5	Audit recommendations (that have not already been outlined in Table 5.5)	49

Figures

Figure 3.1	Land-use zoning	14
Figure 5.1	Figure 5.1 from original Environmental Assessment (National Environmental Consulting Services 2005)	30
Figure 5.2	Figure 5.15 from original Environmental Assessment (National Environmental Consulting Services, 2005)	31
Figure 5.3	Figure 3.3 from MOD1 Environmental Assessment (Umwelt 2010)	32
Figure 5.4	Figure 3.4 from MOD1 Environmental Assessment (Umwelt 2010)	33
Figure 5.5	Figure 1.2 from MOD2 Environmental Assessment (Umwelt 2017).	34
Figure 5.6	Local crash data	38

Photographs

Photograph 1.1	Rooty Hill Distribution Centre
Photograph B.1	Holcim Rooty Hill Distribution Centre main entrance, signage and covered truck
Photograph B.2	Weighbridge
Photograph B.3	Open aggregate bin/material storage area
Photograph B.4	Enclosed conveyor belt
Photograph B.5	Dust deposition gauge
Photograph B.6	Bunded chemical storage area
Photograph B.7	Concrete batching plant aggregate storage bins
Photograph B.8	Concrete washout area
Photograph B.9	Fire safety equipment
Photograph B.10	Fire safety equipment
Photograph B.11	Dust suppression sprinklers
Photograph B.12	Water cart
Photograph B.13	Secure chemical storage, concrete batching plant
Photograph B.14	Rail offload facility, interior
Photograph B.15	Refuelling facility
Photograph B.16	Angus Creek

Independent Audit Declaration Form	
Project name	Rooty Hill Distribution Centre
Consent number	Land & Environment Court Decision No. 05_0051
Description of project	Hard rock quarry
Project address	5 Kellogg Road, Rooty Hill NSW 2766
Proponent	Holcim (Australia) Pty Ltd
Title of audit	Rooty Hill Distribution Centre Independent Environmental Audit 2021
Date	22 March 2022
<p>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:</p> <ul style="list-style-type: none"> the audit has been undertaken in accordance with relevant approval condition(s) of consent and in accordance with the <i>Independent Audit Post Approval Requirements</i> (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 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 development 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 fair 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. <p>Note:</p> <p>a) Under section 10.6 of the <i>Environmental Planning and Assessment Act 1979</i> 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</p> <p>b) The <i>Crimes Act 1900</i> 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).</p>	
Name of auditor	Allan Young
Signature	
Qualification	Master of Urban and Regional Planning (University of Sydney)
Company	EMM Consulting Pty Limited
Company address	Ground Floor, Suite 01, 20 Chandos Street, St Leonards NSW 2065

1 Introduction

1.1 Overview

EMM Consulting Pty Limited (EMM) has been commissioned to undertake an independent environmental audit (audit) of the Holcim (Australia) Pty Limited (Holcim) Rooty Hill Regional Distribution Centre (RHDC), located at 21 Kellogg Road, Rooty Hill, New South Wales (NSW).

This audit is required to fulfil the requirements of Condition 3.5A of the Land & Environment Court Decision No. 05_0051 (DA 05_0051) granted by the (then) Acting Minister for Planning on 26 April 2006. In line with Condition 3.5 of DA 05_0051, independent external environmental audits were undertaken at six months and at two years after the commencement of operation of the project. This is the third audit, and the first three-yearly audit to be conducted at the site.

This report details the audit process, presents the audit findings, and provides recommendations that if implemented will facilitate improved compliance with environmental approvals.

The audit period is from 13 December 2017 to 17 November 2021. The audit comprised a desktop assessment, site inspection and interview components.

This audit has been prepared in accordance with NSW Government's (2020) *Independent Audit: Post Approval Requirements* (Independent Audit PAR 2020).

1.2 Background of the project

Holcim operates the RHDC located off Kellogg Road, Rooty Hill, approximately 5 kilometres (km) west of Blacktown in Sydney, NSW. The site is located within the Blacktown local government area (LGA).

The legal property description for the site is given in Table 1.1.

Table 1.1 Legal description of the site

Deposited plan (DP)	Lot number	Owner
1150066	1	Holcim
582388	1 (part of)	Humes (owned by Holcim)

The RHDC was approved as a Part 3A project assessment under the DA 05_0051. The consent is for the construction and operation of a regional distribution centre that receives construction material by rail and distributes this material by road to the Sydney market. Since the original development approval, two modifications have been made to the DA 05_0051.

Modification 1 provided for layout changes at the facility and the modification was approved pursuant to the (then) Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Modification 2 provided for design changes to convert an unused portion of the site into an additional stockpile area at the facility and the modification was approved pursuant to the (then) Part 3A of the EP&A Act.

The facility was previously the subject of an Environment Protection Licence (EPL 20672) which was surrendered pursuant to an approval to surrender issued by the NSW Environment Protection Authority on 18 June 2020. The EPL was surrendered due to changes to the provisions of Schedule 1 of the *Protection of the Environment Operations Act 1997* which no longer required the activities to be licensed.

1.3 Audit objectives

This audit is required under Condition 3.5 of DA 05_0051. DA 05_0051 was most recently modified in June 2017 (MOD2).

The objectives of the audit as originally prescribed are found at Condition 3.5 of the consolidated consent:

The Proponent shall commission an independent person or team to undertake an Environmental Audit of the project at six months, and at two years after the commencement of operation of the project, and then as may be directed by the Director-General. The independent person or team must be approved by the Director-General prior to the commencement of the Audit. The Audit must:

- a) be carried out in accordance with ISO 19011:2002 - Guidelines for Quality and/or Environmental Management Systems Auditing;
- b) assess compliance with the requirements of this approval, and other licences and approvals that apply to the project;
- c) assess the environmental performance of the project against the predictions made and conclusions drawn in the documents referred to under condition 1.1 of this approval; and
- d) review the effectiveness of the environmental management of the project, including any environmental impact mitigation works.

An Environmental Audit Report shall be submitted to the Director-General within two months of the completion of the Audit, detailing the findings and recommendations of the Audit and including a detailed response from the Proponent to any of the recommendations contained in the Report.

The Director-General may require the Proponent to undertake reasonable works to address the findings or recommendations presented in the Report in relation to compliance with this approval. Any such works must be completed within such time as the Secretary may require.

However, the determination of Modification 2 added the following:

Note: This condition [ie Condition 3.5] only requires audits to be undertaken and reported for the period prior to the approval of MOD2.

For the purposes of this audit, Conditions 3.5A and 3.5B relevantly provide:

Condition 3.5A

Within a year of the date of the approval of MOD 2, and every three years thereafter, unless the Secretary directs otherwise, the Proponent must commission and commence, and pay the full cost of an Independent Environmental Audit of the development. This audit must:

- (a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
- (b) include consultation with the relevant agencies;
- (c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL or necessary water licences for the development (including any assessment, strategy, plan or program required under these approvals);
- (d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; 16
- (e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and
- (f) be conducted and reported to the satisfaction of the Secretary.

Condition 3.5B

Within 12 weeks of commencing an audit under condition 3.5A, or as otherwise agreed by the Secretary, the Proponent must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of these recommendations as required. The Proponent must implement these recommendations, to the satisfaction of the Secretary.

1.4 Audit criteria

Audit criteria are the policies, procedures or requirements against which an action will be compared. In this case, the audit criteria are the conditions, requirements and commitments in:

- Major Projects Application DA 05_0051 and associated assessments (2005);
- Modification Application DA 05_0051 MOD1 and the accompanying environmental assessment (EA) (2011);
- Modification Application DA 05_0051 MOD2 and the accompanying EA (2017);
- Environment Protection Licence (EPL) 20672 (for that part of the audit period prior to the surrender of the EPL in June 2020);
- the surrender of EPL 20671 issued on 18 June 2020; and
- environmental management plans, programs and reporting required under the approvals listed above.

1.5 Audit scope

The audit scope was determined in accordance with Section 3.3 of the Independent Audit PAR 2020. It has been summarised in Table 1.2, which also references each section that the particular aspect has been addressed.

Table 1.2 Audit scope

Independent Audit PAR 2020 scope requirements	Addressed
An Independent Audit must include:	
1. an assessment of compliance with:	
(a) all conditions of consent applicable to the phase of the development that is being audited. Should there be any uncertainty to which conditions are to be audited, the auditor can seek clarification during the construction as per Section 3.2;	Appendix C Section 5.7
(b) all post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans; and	Section 2.2
(c) all environmental licences and approvals applicable to the development excluding environmental protection licences issued under the <i>Protection of the Environment Operations Act 1997</i> or as otherwise agreed by the Secretary.	Appendix D Section 5.4 Section 5.7
2. a review of the environmental performance of the development, including but not necessarily limited to, an assessment of:	
(a) actual impacts compared to predicted impacts documented in the environmental impact assessment;	Section 5.3 Section 5.6 Section 5.7 Chapter 6
(b) the physical extent of the development in comparison with the approved boundary;	Section 1.7 Section 5.3
(c) incidents, non-compliances and complaints that occurred or were made during the audit period;	Refer to conditions of consent relevant to incidents, non-compliances and complaints in Appendix C and Appendix D Section 5.4.1 Section 5.7
(d) the performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit; and	Section 5.7 Chapter 6
(e) feedback received from the Department, and other agencies and stakeholders, including the community or Community Consultative Committee, on the environmental performance of the project during the audit period;	Section 5.5
3. the status of implementation of previous Independent Audit findings, recommendations and actions (if any);	Chapter 4

Table 1.2 **Audit scope**

Independent Audit PAR 2020 scope requirements	Addressed
4. a high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and	Refer to conditions of consent relevant to Environmental Management Plans and Sub-plans in Appendix C and Appendix D
5. any other matters considered relevant by the auditor or the Department, taking into account relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practice.	Section 5.7 Chapter 6

This audit covers the activities undertaken by Holcim and its contractors.

1.6 Auditable period

The previous audit was completed on 29 November 2018. The auditable period for that IEA ended on 12 December 2017. Therefore, although the last IEA was delivered in November 2018, the key date for the purposes of this IEA is the end date for the last auditable period. This is because the purpose of the IEA is to provide audits for contiguous periods.

This audit therefore considers the auditable period of 13 December 2017 to 17 November 2021 being the date at which formal inquiries for this audit period ceased.

1.7 Audit lands

The physical scope (ie approved boundary) of this independent environmental audit is the spatial extent limited to the land defined in the DA 05_0051 Conditions, Appendix A, Attachment 2: Approved Project Layout.

Development of an office, a laboratory and parking on Lot 1, DP 582388 (the 'Hume site') is approved by DA 05_005. These facilities have not been developed. Therefore, this audit only considers activities on the main RHDC site (Lot 1, DP1150066) and does not address the activities on the Hume site.

This independent environmental audit covers the activities undertaken by Holcim and its contractors, relating to the RHDC that are referred to in the regulatory approvals listed above.



Source: Holcim Australia

Photograph 1.1 **Rooty Hill Distribution Centre**

2 Audit method

2.1 Audit team roles and responsibilities

The audit team was made up of representatives of Holcim and EMM.

2.1.1 Holcim audit team

Shilpa Shashi (S. Shashi), Holcim Planning and Environment Coordinator NSW/ACT. In this role, Ms Shashi is responsible for implementing management plans and providing advice on complying with the conditions of consent. Ms Shashi was responsible for providing audit input and documentation, responding to audit interview and emails, attending the site visit, and reviewing and finalising audit tables (compliance registers) and this report.

Rochelle Flack (R. Flack), Holcim Site Manager – Rooty Hill. In this role, Ms Flack was responsible for the day-to-day management and compliance at the RHDC site. Even though Ms Flack was involved in the early stages of the audit, she has since ceased employment with Holcim and was not involved in the review and finalisation of audit tables (compliance registers) and this report.

2.1.2 EMM audit team

The lead auditor and lead audit report author was Allan Young (A. Young), EMM Associate and National Technical Director, Urban and Regional Planning. Mr Young has over 20 years' experience in all aspects of the environmental assessment and land-use planning system. He has expertise in the preparation of environmental and social impact assessments conducting environmental audits and due diligence reviews; and preparing planning advice locally and internationally.

Tanja Ibsen (T. Ibsen), is a Senior Environmental Scientist with EMM, and provided support to the lead auditor.

The EMM audit team was endorsed by the Department of Planning and Environment (DPE) to undertake the audit (refer Appendix A).

2.1.3 Independence of the audit team

A. Young and T. Ibsen are independent of Holcim as defined by the criteria listed in Section 3.3 of the NSW Government's (2015) *Independent Audit Guideline*.

2.2 Approvals and documents audited

The approvals and documents audited include, but are not limited to the following:

- DA 05_0051;
- the original EA prepared for Readymix by National Environmental Consulting Services (14 October 2005);
- the MOD1 EA prepared by Umwelt Environmental Consultants (September 2010);
- the MOD2 EA prepared by Umwelt Environmental Consulting (February 2017);
- EPL 20672;
- approval of the surrender of EPL No. 20672 dated 18 June 2020;
- environmental management plans, monitoring programs and reports, and agency correspondence for the RHDC, provided during the audit period, including:
 - Operational Environmental Management Plan (OEMP 2021), which includes a number of other management plans and monitoring programs listed below:
 - General Site Management Plan;
 - Noise Management Plan, including the Noise Management Protocol;
 - Traffic Management Plan;
 - Dust Management Plan;
 - Soil and Water Management Plan;
 - Energy Saving Management Plan;
 - Vegetation Management Plan; and
 - Operational Monitoring Plan including: Noise Monitoring Program, Transport Monitoring Program, Ambient Dust Monitoring Program, and Aquatic Ecology and Water Quality Monitoring Program.
 - Community Consultation Strategy.
- 2020 Annual Review (prepared for 1 July 2018 – 31 December 2020);
- environmental monitoring reports, including:
 - Quarterly Noise Monitoring Assessments prepared by Muller Acoustic Consulting (MAC) provided for the audit period (Quarter 4 (Q4) 2017 – Q1 2021);

- Aquatic ecology monitoring reports prepared by Niche Environment and Heritage (Niche), that include visual monitoring, and bi-annual aquatic survey and reporting dated March 2018, September 2018, September 2019, November 2019, February 2020, June 2020, August 2020, December 2020, March 2021, May 2021, September 2021; and
- Bushland Regeneration Report prepared by Toolijooa Environmental Restoration for 2018 – 2020.
- various site induction and training documentation;
- Rooty Hill Concrete Batching Plant (CBP) Construction Certificates including floor plans certified by Essential Certifiers and dated 8 November 2018;
- letters with NSW Department of Planning, Industry and Environment (DPIE)¹, and Blacktown City Council (Council) regarding CBP Construction and Occupation certificates;
- other government agency correspondence related to subject matters covered in various conditions of consent;
- INX internal online reporting system including the following reports for the audit period:
 - community complaints register;
 - breach of licences and permits register; and
 - environmental incidents register.

2.3 Audit activities

2.3.1 Inception teleconference

An inception phone call was held between A. Young and S. Shilpa following the commissioning of the audit. EMM was commissioned to undertake the audit on 19 May 2021, and audit activities officially commenced in the week of 16 August 2021.

Given that the audit was delayed, a progress meeting was held online via Microsoft Teams on Monday 27 September 2021. The meeting was attended by the following:

- S. Shashi, Holcim, Planning and Environment Coordinator NSW/ACT;
- R. Flack, Holcim, Site Manager, RHDC;
- A. Young, EMM, EMM auditor; and
- T. Ibsen, EMM, EMM auditor.

The progress of the audit was confirmed at the meeting.

¹ Note: The Department was renamed from the Department of Planning, Industry and Environment (DPIE) to Department of Planning and Environment (DPE) on 21 December 2021. However, given that most of this audit was undertaken prior to 21 December 2021, this report has retained the use of 'DPIE' throughout.

2.3.2 Agency consultation

A periodic independent environmental audit is requirement under Condition 3.5A of DA 05_0051, as modified.

Condition 3.5A(b) of the modified DA 05_0051 states that the audit must include consultation with the relevant agencies.

Our understanding is that the relevant agencies are:

- Energy, Climate Change and Sustainability Division, Environment, Energy and Science Group; DPIE;
- NSW Environment Protection Authority, Environment, Energy and Science Group; DPIE;
- Biodiversity and Conservation Division, Environment, Energy and Science Group; DPIE;
- Water Group, DPIE;
- Transport for NSW; and
- Blacktown City Council.

A letter was sent via email to relevant agencies requesting their input to the audit.

The responses received form part of the audit results (see Section 5.5).

2.3.3 Request for information

An initial request for information (RFI) was issued on 30 August 2021. Holcim's audit input was provided following the RFI, via a series of online Google folders. Following an initial review of the documentation provided against audit requirements, a further RFI was issued on 6 October 2021 seeking additional input from Holcim. The RFI included items not provided to date.

Further information was sought via emails and/or phone calls throughout the audit, as further information and documentation was required to complete the audits.

Documents were received all throughout October, November and December.

2.3.4 Site inspection

A full day site inspection was undertaken by EMM's auditor A. Young on 17 November 2021. The site inspection was delayed due to State government Covid-19 lockdown restrictions. A. Young was escorted by S. Shashi and R. Flack. The site inspection included interviews, a review of the environmental files (electronic softcopies), requests for further documentation held on site and an inspection of the entire site.

2.3.5 Interviews

During the interviews with S. Shashi and R. Flack, the following items were discussed:

- their roles, environmental and reporting responsibilities;
- their understanding of environmental issues at the site; and
- compliance related to approval documentation relevant to the site.

2.3.6 Draft report

EMM provided draft compliance tables to S. Shashi on 7 December 2021.

Holcim's audit team initially provided no feedback or comments regarding the draft compliance tables, other than to request a draft audit report on 21 January 2022.

The results of the audit were documented in a draft audit report, which was provided to Holcim on 10 February 2022 for review and comments prior to finalisation. Comments were provided at the closing meeting (phone call).

2.3.7 Report finalisation

The report was finalised with consideration of the comments received from Holcim.

2.3.8 Closing teleconference (phone call)

A closing meeting (phone call) was held following provision of the draft audit report on 23 February 2022. The draft audit report findings and recommendations were discussed.

2.4 Assessment criteria and method of reporting

The compliance assessment criteria adopted for this audit is in accordance with the compliance status descriptors provided within the Independent Audit PAR 2020. The compliance status descriptors are summarised in Table 2.1.

Table 2.1 Compliance assessment criteria

Assessment	Criteria
Compliant	Where the auditor has collected sufficient verifiable evidence to demonstrate that the 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.

The content of this audit report and the method of reporting is consistent with the Independent Audit PAR 2020.

3 Audit context

3.1 Holcim environmental systems

Holcim operates a national incident reporting system, referred to as INX, which is linked to Holcim's head office in Switzerland. Holcim advised that the INX reporting system covers all aspects of Holcim's operations, including environmental incidences, community feedback and complaints, near exceedance events and any other matters relating to operations across all Holcim sites. Incidences are allocated a rating, based on the level of severity, and tracked through the INX system from the date of the incident to the action taken to remedy the incident.

3.2 Site management

The RHDC commenced operations on 1 October 2015, with a current distribution capacity significantly less than the approved capacity of 4 million tonnes per annum.

R. Flack, Holcim Site Manager – Rooty Hill and S. Shashi, Holcim Planning and Environment Coordinator NSW/ACT are responsible for on-site environmental management. However, as previously noted, R. Flack has recently ceased employment with Holcim, and this position is in the process of being filled.

A number of consultants are engaged to undertake monitoring of all environmental commitments required by the environmental licence and DA 05_0051 conditions, as well as Holcim's environmental commitments approved along with the DA 05_0051.

The site's OEMP (2021) includes Holcim's environmental policy and the following management plans and monitoring programs:

- General Site Management Plan;
- Noise Management Plan, including the Noise Management Protocol;
- Traffic Management Plan;
- Dust Management Plan;
- Soil and Water Management Plan;
- Energy Savings Management Plan;
- Vegetation Management Plan;
- Operational Monitoring Plan including:
 - Noise Monitoring Program;
 - Transport Monitoring Program;
 - Ambient Dust Monitoring Program; and
 - Aquatic Ecology and Water Quality Monitoring Program.

The OEMP (2021) also includes the following elements that assist in identification monitoring and compliance management of environmental values, risks and impacts during operations:

- environmental risk assessment;
- environmental control plans for non-key issues;
- complaints management;
- environmental training awareness and competence;
- environmental incident reporting;
- annual performance reporting;
- environmental auditing, including internal and external audits;
- corrective action; and
- OEMP review and improvement.

3.3 Land use

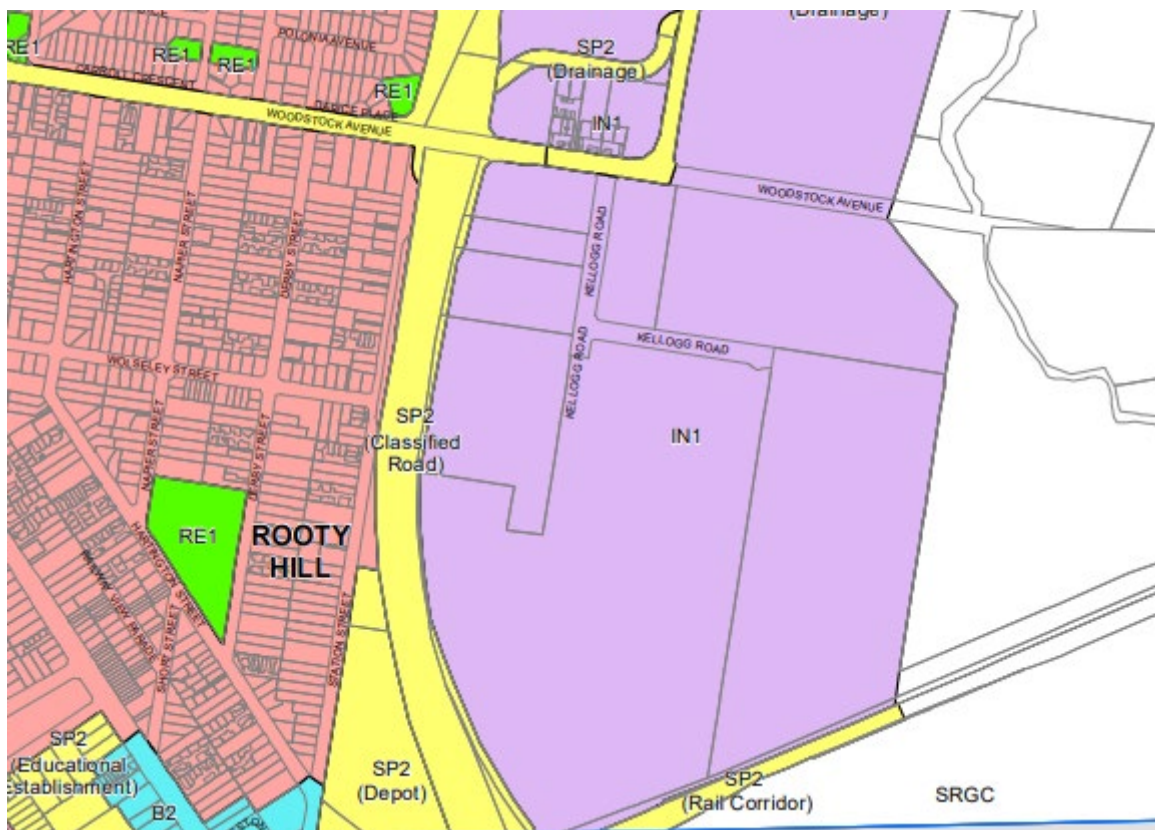
The land-use zoning for the RHDC is IN1 General Industrial under the Blacktown Local Environmental Plan 2015 (Blacktown LEP). Refer to Figure 3.1.

Adjoining industrial premises are similarly zoned. The predominant land use north and west of the RHDC site boundary is heavy industry (such as steel fabrication facilities).

Open space parkland borders the entire eastern boundary (Nurragingy Reserve), which is approximately 63 hectares (ha) in area. This land is zoned pursuant to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

The rail siding (loading facility), main passenger and freight rail line (Western Line) and Westlink M7 motorway border the southern portion of the RHDC site. The Rooty Hill Station (City Rail T1 line) is approximately 850 m south-west of the RHDC. These areas are zoned SP2 Infrastructure.

The Blacktown International Sports Park, consisting of an athletic centre, baseball centre, cricket practice centre, soccer field, softball centre and function rooms, is to the south – separated by the T1 rail line. This recreational land is zoned pursuant to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.



Source: Blacktown LEP 2015, Land-use Zoning Map 8

Figure 3.1 Land-use zoning

3.4 Environmental

The site is located within Angus Creek catchment, near the confluence of Angus Creek and Eastern Creek. The riparian zone for Angus Creek, generally to the south-east of the site, retains mature vegetation.

The site operations area is entirely sealed and drained to catchment systems that filter sediment from surface water run-off prior to their release to a sediment pond (retention basin) located at the southern boundary of this area. All surface water run-off is directed to this area which is able to cater for retention of water during minor flood events to inhibit release of sediment and run-off to Angus Creek.

The Angus Creek Zone is excluded from further development and is subject to the conditions of the in DA 05_0051 with respect to vegetation and riparian management.

3.5 Climate

Mean wind speeds range from 4.2 km/hr (April) to 6 km/hr (October/November).

Mean monthly temperatures range from 9.7 degrees C (July) to 22.5 degrees C (January).

Mean rainfall ranges from 43 mm per month (July) to 116 mm per month (February).

Source: Bureau of Meteorology (Seven Hills Meteorological Station)

3.6 Social

The site is situated in the south-eastern portion of a large industrial estate with the nearest residential suburbs being Rooty Hill (approximately 650 m due west) and Doonside (approximately 850 m due east). There are no nearby residential areas directly south of the site as this locality is primarily sports fields and open space.

Residences in Bungaribee (south-east) approximately 1.3 km from the site. Residences in Glendenning to the north are more than 2 km from the RHDC site. The main potential impacts from the site relate to noise and air quality at relatively distant residences and in the adjacent Nurragingy Reserve.

3.7 RHDC operations

The key aspects of the quarry operations are summarised in Table 3.1.

Table 3.1 Project summary

Component	Approved development
Approved production	4 million tonnes per year.
Product received	All material received via rail, loaded by conveyor.
Product transport	All material distributed by road.
Material received	Single size crushed aggregate, blended crushed aggregates and natural/ manufactured sand.
Hours of operation	RHDC site is approved to operate 24 hours a day, seven days a week.
Operational workforce	About 12–14 full time employees on-site.
Infrastructure	Rail siding and unloading facility, main on-ground concrete storage bins and truck load out facility, conveyor system, linking the unloading station to the storage and truck facilities, site offices, truck wash down, truck refuelling, weighbridges and parking, workshop and stores. A mobile CBP, which commenced operations on 13 December 2016, and was subsequently redeveloped into a permanent CBP during this audit period. Construction of traffic light signals to the intersection of Kellogg Road and Woodstock Avenue, a single land roundabout at the intersection of Glendenning Road and Woodstock Avenue, upgrade of Kellogg Road.
Concrete batching plant (CBP) approved production	A CBP has been constructed on site which commenced operations on 13 December 2016, and was subsequently redeveloped into a permanent CBP during this audit period. A CBP is approved for the site that can produce up to 200,000 cubic metres (m ³) of concrete per annum.

An overview of the key elements of the RHDC site is shown in the photographs provided in Appendix B.

4 Previous audit findings

4.1 Previous audit findings

A summary of the conditions where a non-compliance or an administrative non-compliance was recorded during the Rooty Hill Distribution Centre Independent Environmental Audit 2018 (RHDC IEA 2018) (EMM 2018), for the audit period 31 March 2016 to 12 December 2017, is provided in Table 4.1. A summary of recommendations that were not associated with a non-compliance is provided in Table 4.2.

It is worth noting that the rating system has changed since the last audit and that the category for an administrative non-compliance no longer exists.

Table 4.1 Previous audit non-compliance summary as per 2018 audit

Schedule	Condition	Compliance status	Comments and recommendations (2018)	Status update (2021)
DA 05_0051				
DA 05_0051, Condition 1.1	<p>Terms of approval</p> <p>The Proponent must carry out the project generally in accordance with the:</p> <ul style="list-style-type: none"> a) Project Application 05_0051; b) Environmental Assessment Report ... October 2005; c) Response to Issues Raised in Submissions to EAR... February 2006; d) the final Statement of Commitments, submitted by the Proponent to the Department on 17 March 2006; e) the Environmental Assessment Report - Proposed Minor Modification to Holcim Regional Distribution Centre (RDC), ... October 2010, including the Response to Submissions... 9 December 2010, and the March 2011 Modification Statement of Commitments...; f) the Environmental Assessment Report...February 2017; including the Response to Submissions...16 May 2017; and g) the conditions of this approval. <p>Note: The general layout of the project is shown in Attachment 3.</p>	Non-compliant	<p>The CBP and the aggregate storage areas are substantially different from the approved facilities.</p> <p>See Section 4.4 (of the RHDC IEA 2018) for details.</p> <p>Recommendation: actions are taken to ensure that material storage and handling facilities, and the CBP, are constructed and operated as approved. This could be through:</p> <p>amending existing site components and layout to comply with DA 05_0051 (as modified); and/or</p> <p>seeking advice from relevant government agencies, including DPE and EPA, on achieving compliance with Condition 1.1 of DA 05_0051 (as modified).</p>	<p>Non-compliant.</p> <p>Refer to response for Condition 1.1 in Section 5.3 and Table 5.4.</p>

Table 4.1 Previous audit non-compliance summary as per 2018 audit

Schedule	Condition	Compliance status	Comments and recommendations (2018)	Status update (2021)
DA 05_0051, Condition 1.13	<p>The Proponent must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.</p> <p>Notes: Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.</p> <p>Part 8 of the EP&A Regulation sets out the requirements for the certification of the Project.</p>	Non-compliant	<p>The CBP was constructed without a construction certificate and is being operated without an occupation certificate.</p> <p>Holcim has advised that it considers the CBP to be a 'temporary/mobile' plant and plans to install a permanent CBP within the next two years. However, this does not remove the requirement for development approval for the 'temporary/mobile/ CBP.</p> <p>Recommendation: advice is sought from DPE regarding addressing this non-compliance.</p> <p>See Section 4.5 [of RHDC IEA 2018] for details.</p>	<p>Non-compliant.</p> <p>Refer to response in Section 5.3 and Condition 1.13 of Table 5.4.</p>
DA 05_0051, Condition 2.8	<p>The Proponent must design, construct, commission, operate and maintain the project in a manner that minimises dust emissions from the site, as specified in paragraph of the final Statement of Commitments submitted by the Proponent to the Department on 17 March 2006, including:</p> <p>...</p> <p>b) all storage bins must be enclosed;</p>	Non-compliant	<p>The majority of these measures are complied with, however all storage bins are not enclosed. This is addressed in regards to Condition 1.1.</p> <p>Recommendation: see Condition 1.1.</p>	<p>Non-compliant.</p> <p>Storage bins remain open.</p>

Table 4.1 Previous audit non-compliance summary as per 2018 audit

Schedule	Condition	Compliance status	Comments and recommendations (2018)	Status update (2021)
DA 05_0051, Condition 2.11	The Proponent must take reasonable measures to ensure that heavy vehicles accessing the site must not queue within the adjacent local road network.	Non-compliant	Trucks associated with the facility were observed parked on Kellogg Road within 100 m of the site. Recommendation: it should be ensured that no trucks are queuing or parking along the local road network at any time.	All trucks were observed within or entering the site during the site inspection undertaken for this audit. There were no trucks queuing within the adjacent local road networks during the site inspection. There were no complaints regarding trucks queuing within the adjacent local road networks, during this audit period. Therefore, there is no reason to believe that this condition was not complied with during the audit period.
DA 05_0051, Condition 2.12	The Proponent must take reasonable measures to ensure that vehicles used for the construction and/or operation of the project must not park on local roads in the vicinity of the project at any time.	Non-compliant	See Condition 2.11.	See response to Condition 2.11.

Table 4.1 Previous audit non-compliance summary as per 2018 audit

Schedule	Condition	Compliance status	Comments and recommendations (2018)	Status update (2021)
DA 05_0051, Condition 2.21A	<p>The number of on-site and truck parking spaces to be provided for the project must be in accordance with Sections 5.4.3, 5.4.4 and 5.4.6 of the EAR as follows:</p> <ul style="list-style-type: none"> a) Truck parking: 50 spaces (truck and dog configuration); b) Car parking: a total of 310 spaces on the project site and Humes site, as follows: c) Project site: 121 spaces; d) Regional office and laboratory: 189 spaces, of which 84 are to be allocated to the project site staff and visitors and 105 are to be allocated to the staff and visitors to the existing Humes site. e) All car parking spaces must be marked/signposted in accordance with the above allocations. All visitor spaces must be located conveniently in relation to the various administrative offices on the site and must be clearly marked and signposted. f) All car and truck parking spaces must be sealed in a hardstanding material and drained in accordance with the approved stormwater management plan for the project; g) The design and dimensions of all truck and car parking spaces, together with all associated roads and manoeuvring areas, must be in accordance with AS2890.2 (2002); h) A detailed car and truck parking plan, at a scale of 1:200, and incorporating the above requirements, must be submitted for the approval of the Secretary prior to the commencement of any works. 	Administrative non-compliance	<p>This condition has not been met at this stage, as construction of all approved components (eg laboratory) had not been completed on the date of the site audit on 12 December 2017. The status on the date of the site audit was:</p> <ul style="list-style-type: none"> • there are approximately 14 delineated truck (and dog) parking spaces currently, with some provision for more parking once construction of the remaining components are completed; • there are approximately 38 delineated car parking spaces provided adjacent the site office/administration; • all light vehicle parking spaces are clearly delineated; • all parking areas sealed and drained to the site stormwater system; • there are no dedicated parking spaces for trucks in the CBP area; and • truck and vehicle turning and manoeuvring areas appear to be constructed in accordance with the AS2890.2 (2002). <p>A letter from Department of Planning and Infrastructure (7 December 2012, ref - 10/22440) approves truck and car space requirement reductions, however this predates the MOD2 condition.</p>	<p>Refer to Condition 2.21A in Table 5.4.</p> <p>Recommendation: The Project Approval should be modified to reflect the number of required parking sites in the absence of a laboratory facility being constructed on site.</p>

Table 4.1 Previous audit non-compliance summary as per 2018 audit

Schedule	Condition	Compliance status	Comments and recommendations (2018)	Status update (2021)
			<p>Holcim is reducing its vehicle fleet and using contractor-owned and contractor - operated heavy vehicles - these do not park at the RHDC.</p> <p>Based on staff numbers and site observations, there are adequate light vehicles spaces on the site currently.</p> <p>It is understood that Holcim do not propose to develop the regional office and laboratory site. Therefore, these 189 spaces will not be required.</p> <p>Recommendation: the number of required parking sites should be modified.</p>	
DA 05_0051, Condition 2.26	Immediately after completion of initial planting/seeding and every year thereafter for the duration of the maintenance period the Proponent must submit to the Department a monitoring report addressing the performance criteria as specified in the Vegetation Management Plan, and comment on the stability and condition of any stream works. With each monitoring report, the person responsible for implementing the Vegetation Management Plan must certify in writing that plantings (including follow-up plantings) have been carried out using stock propagated from seed or plant material collected only from native plants from the local botanical provenance.	Administrative non-compliance	<p>It is unknown whether the required monitoring report has been submitted to DPE.</p> <p>Recommendation: the monitoring reports should be submitted to DPE, including certification that plantings (including follow-up plantings) have been carried out using stock propagated from seed or plant material collected only from native plants from the local botanical provenance.</p>	<p>Refer to Condition 2.26 in Table 5.4.</p> <p>There is no evidence that any of the monitoring reports were submitted to DPIE as per the requirement of this condition.</p>

Table 4.1 Previous audit non-compliance summary as per 2018 audit

Schedule	Condition	Compliance status	Comments and recommendations (2018)	Status update (2021)
DA 05_0051, Condition 3.2	<p>The Proponent must review the Operational Monitoring Program referred to under Condition 3.1 on a six-monthly basis, and may, with the agreement of the Secretary, alter the frequency and/or scope of monitoring provided:</p> <ul style="list-style-type: none"> a) pollutant/perimeter monitoring has been undertaken for a period of no less than six months (measured from the commencement of operation of the project); b) there has been no exceedance of any limit placed on the subject pollutant or parameter, through this consent or any Environment Protection Licence under the <i>Protection of the Environment Operations Act 1997</i> within the preceding six-month period; c) there has been no reasonable complaint received from the public in relation to the subject pollutant/parameter within the preceding six-month period (refer to Condition 4.3 of this approval); and d) the EPA raises no objection to the proposed alteration to the frequency of pollutant/parameter monitoring. 	Non-compliant	<p>There is no evidence that the Operational Monitoring Program has been reviewed on a six-monthly basis.</p> <p>Recommendation: the Operational Monitoring Program should be reviewed following finalisation of this audit and every six months thereafter.</p>	<p>Refer to Condition 3.2 in Table 5.4.</p> <p>There is no evidence that the Operational Monitoring Program has been reviewed on a six-monthly basis.</p> <p>Same recommendation remains.</p>

Table 4.1 Previous audit non-compliance summary as per 2018 audit

Schedule	Condition	Compliance status	Comments and recommendations (2018)	Status update (2021)
DA 05_0051, Condition 5.1	<p>Prior to the commencement of site preparation works, the Proponent must nominate a suitably qualified and experienced Environmental Representative(s) whose appointment is to receive prior approval of the Secretary. The Proponent must employ the Environmental Representative(s) on a full-time basis, or as otherwise agreed by the Secretary, during the operations at the site. The Environmental Representative must be:</p> <p>...</p> <p>The Proponent must notify the Secretary of any changes to that appointment that may occur from time to time.</p>	Non-compliant	<p>During the previous audit, a letter from the Department of Planning and Infrastructure (19 November 2015) advising of approval for the appointment of Mr Brian Cassel as the new environmental representative for the site (previously Mr George Poljak) was sighted.</p> <p>The Secretary has not been informed of the change to Rochelle Zammit.</p> <p>Recommendation: the Secretary should be informed of changes to Environmental Representative(s) appointments.</p>	<p>There is no evidence that DPIE has been advised of the approval of the appointment of the new site's environmental representative (Ms. S. Shashi and Ms. R. Flack).</p> <p>Same recommendation remains.</p>
DA 05_0051, Condition 5.2	The Proponent must prepare and implement a Construction Environmental Management Plan to outline environmental management practices and procedures to be followed during the site preparation and construction activities during each stage of the project....	Non-complaint	<p>The Stage 2 CEMP indicates that possible future construction as Stage 3 includes the CBP and a blending/pug mill. Both of these facilities were constructed in the audit period but are not specifically covered by a CEMP.</p> <p>It is noted that no complaints were registered during the construction of these facilities.</p> <p>Recommendation: the CEMP should be updated prior to any future building works.</p>	Refer to Condition 5.2. There is no evidence that a CEMP was prepared for the construction of the permanent CBP.

Table 4.1 Previous audit non-compliance summary as per 2018 audit

Schedule	Condition	Compliance status	Comments and recommendations (2018)	Status update (2021)
Statement of commitments				
1	To carry out the project generally in accordance with the documents listed in Condition 1.1.	Non-compliant	See DA 05_0051 Condition 1.1.	Remains non-compliant. Refer to DA 05_0051 Condition 1.1 in Table 5.4.
EPL 20672				
EPL 20672, P1.2	The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or setting of limits for the emission of noise from the point. [See table in Appendix B].	Administrative non-compliance	<p>Noise monitoring is routinely undertaken at:</p> <ul style="list-style-type: none"> • Knox Road; • Blacktown International Sports Park; • Station Street; and • Nurranginy Reserve. <p>The following sites have been monitored but are not routinely monitored:</p> <ul style="list-style-type: none"> • Crawford Road; and • Mavis Street. <p>Total noise levels were consistently above noise criteria regardless of whether the site was operating or not (ie the site makes a small to negligible contribution to total noise levels). There is little value in noise monitoring at Crawford Road or Mavis Street.</p> <p>Recommendation: Holcim applies for the EPL to be amended to remove the requirement for monitoring at Crawford Road or Mavis Street.</p>	Compliant Noise monitoring points are consistent with the sites nominated in the licence although Coghlan Crescent, Doonside, appears to have been substituted for Crawford Road, Doonside. The representativeness of the two sites are considered equivalent and therefore not a performance issue.

Table 4.2 **Additional recommendations**

Schedule/ Condition number	Condition	Compliance status	Comments and recommendations	Status update (2021)
4.1	By 30 September 2011, the Proponent must: (a) make copies of the following publicly available on its website:	Compliant	<p>The website includes the documents related to the original EA, MOD1 and MOD2. These are indexed as "Environmental Assessment Report & Response", "Environmental Assessment Report (2010)" and "Project Application & Approval" respectively.</p> <p>Recommendation: the website is updated so that the index refers to "Original Environmental Approval", "MOD 1 Environmental Approval" and "MOD 2 Environmental Approval", or similar.</p>	Compliant, however a recommendation remains to keep website updated with latest documents as per Condition 4.1 of DA 05_0051 in Table 5.4.

5 2021 audit results

5.1 Overview

This chapter provides an overview of the following audit components which, combined, help form a picture of RHDC's overall performance in relation to compliance:

- activities during the audit period;
- audit of approved operations;
- compliance in relation to the site EPL;
- advice and comments from public authorities;
- noise, air quality and traffic monitoring; and
- 2021 audit results.

A summary of the overall performance of the development in relation to compliance is provided in Chapter 6.

5.2 Activities during the audit period

5.2.1 Operation and construction phase

At the time of EMM's site inspection on 17 November 2021, the RHDC was in the operations phase. However, the RHDC was closed between 19 July to 30 July 2021 and between 11 August to 30 August 2021 in line with State government lockdown restrictions due to the Covid-19 pandemic. EMM's office had also been disrupted by Covid-19 restrictions and staff absences.

The mobile CBP would have been redeveloped into a permanent CBP during the audit period, however it is unclear when this would have taken place. From the documentation provided it is understood that construction of the mobile CBP was completed on 13 December 2016, and that redevelopment was planned (and potentially took place) sometime in 2018–2019.

While all relevant certified Construction Certificates for the permanent CBP were obtained in November 2018, we have not been able to confirm precisely when construction and occupation of the final CBP took place. Occupation Certificates for the CBP were not sighted during the audit (refer to Condition 1.1 of Table 5.3).

5.2.2 Summary of notices, penalties or orders served

EMM is aware of one notice issued, specifically regarding the construction and operation of a mobile CBP on the site.

On 16 July 2018, DPIE issued an Official Caution under section 19A of the *Fines Act 1996* for the breach of Section 81A(2) of the EP&A Act. The Official Caution was issued regarding the failure to obtain a Construction Certificate for the construction of a CBP at the RHDC in approximately quarter three of 2016. In deciding to issue an Official Caution, DPIE noted that the works have not resulted in known harm to the environment or damage to property.

DPIE took into account the following in their assessment of the situation:

- Holcim was in the process of finalising plans to construct and install a permanent CBP at the site within the next 12 months and a certifier was engaged for the proposed permanent CBP;
- there were no exceedances in environmental monitoring at the site;
- there have been no community complaints in the four years at the site; and
- due diligence for the design and construction of the CBP was undertaken prior to the commencement of operation.

However, whilst the plans for the permanent CBP are finalised, DPIE requested for Holcim to obtain a Building Certificate from the Council of the operation of the CBP by no later than August 2018. This date was later extended, and Holcim was compliant in terms of obtaining a Building Certificate from the Council.

As previously mentioned, Holcim has since also obtained a certified Construction Certificate for the permanent CBP in November 2018. It is understood that the permanent CBP has been constructed and is fully operational, however an Occupation Certificate has not been sighted for the purpose of this audit.

5.3 Audit of approved operations

Condition 1.1 of DA 05_0051 states that “the Proponent must carry out the project generally in accordance with [documents listed in this condition]”, including the original environmental assessment and those prepared for MOD1 and MOD2, and with the conditions of the approval.

Table 5.1 provides a comparison of activities approved under the original environmental assessment, MOD1 and MOD2 environmental assessments, and as observed during the site inspection undertaken on 17 November 2021. It is worth noting that the same comparison was undertaken for the RHDC IEA 2018, and that the findings are largely the same.

The following site components are substantially different from those approved:

- material handling, stockpiling and load-out; and
- CBP and adjacent aggregate storage area.

Table 5.1 Approved product storage activities at Rooty Hill Regional Distribution Centre

Major Projects Application DA 05_0051	MOD1	MOD2	As at site inspection (17 November 2021)
Storage bins area and ground storage			
<p>The main storage area to consist of three rows of 10 bins (bulk storage bins).</p> <p>Each bin to have a capacity of 2,000 to 2,500 tonnes (t), with the total storage capacity of the area approximately 60,000 t.</p> <p>The bins to be approximately 33.5 m high to the top of the main transfer tower that feeds the material to the bins.</p>	<p>Change from elevated steel bins to on-ground concrete storage bins (23 m high) – see MOD1 EA (Figures 3.3 and 3.4) [see Figures 5.3 and Figure 5.4 below].</p> <p>Each bin to have a 2,500 t capacity depending on the material being stored.</p> <p>Total capacity unchanged.</p>	<p>The modification approves using a new area (0.43 ha) adjacent to the existing truck parking area for stockpiling.</p> <p>The MOD 2 EA does not mention modification of approved storage bins. MOD 2 EA Figure 1.2 [see Figure 5.5 below] incorrectly indicates that the stockpile area as shown in the aerial photograph as ‘approved’.</p> <p>MOD 2 EA Figure 2.1 shows the approved (but not constructed) layout.</p> <p>From EA Section 5.2 Air Quality:</p> <p>Existing conditions require the closure of all storage bins.</p> <p>“The Department is satisfied that air quality impacts from the proposed site would be minimal, and would be suitably managed through modified conditions and the Dust Management Plan.”</p>	<p>These findings have not changed since the last audit (RHDC IEA 2018):</p> <p>Material is stored in four bays around the radial stacker, two large bays (~130 m x 35 m) and six smaller bays. These are not described in any of the EA documents.</p> <p>There are no concrete storage bins as approved by MOD 1.</p> <p>The stockpiling area approved by MOD 2 has not been constructed.</p> <p>For compliance outcomes and recommendations refer to Condition 1.1 of DA 05_0051, Table 5.4.</p>
<p>Construction of five ground storage bays each with a capacity of 500 t west of the main stockpiling area.</p>	<p>Remove 500 t ground storage bins (as shown in original EA Figure 5.1 (see Figure 5.1 below).</p>	<p>No change.</p>	<p>There are no ground storage bins west of the main stockpiling area.</p> <p>For compliance outcomes and recommendations refer to Condition 1.1 of DA 05_0051, Table 5.4.</p>
Rail to storage			
<p>Use of an above ground conveyor system to transfer materials from the rail unloading facilities to the storage bins.</p>	<p>Materials transferred from the rail unloading facilities to storage bins via an underground conveyor system.</p>	<p>No change.</p>	<p>Material is transferred from the rail unloading facilities to the radial stacker by an enclosed conveyor.</p> <p>There are two holding areas for materials – the materials bays at the radial stacker facility; and the storage bins in the nearby stockpiling area. To be clear, the conveyor system deposits materials in the bays, not the storage bins in the main storage and stockpiling area. Our interpretation is that this condition is satisfied notwithstanding the use of the term ‘storage bins’.</p>
Radial stacker and reclaim facilities			
<p>The radial (telescopic) stacker is a fail-safe mechanism allowing trains to be unloaded and returned to the rail system if there is a malfunction with the operation of the main storage system, or if materials at the unloading station are contaminated.</p> <p>The reclaim hopper would feed material back into the main storage bins from the radial stacker stockpiles or would allow for special/other products brought in by road to be held in the main storage system.</p>	<p>No change proposed to radial stacker.</p> <p>EA: “The radial stacker is a contingency measure and will only be used if there is a malfunction with the loading of the main storage bins. For assessment purposes it has been assumed that the radial stacker will be operating for 10% of the time.”</p>	<p>No change.</p>	<p>Only the radial stacker and enclosed conveyor system are used to transfer material from the rail unloading facilities.</p>
<p>Five on-ground storage bays around the radial stacker.</p>	<p>Increased capacity of on-ground storage bays around the radial stacker.</p>	<p>No change.</p>	<p>Material is stored in four bays around the radial stacker. Not in configuration shown in MOD 1 EA Figure 3.3 (see Figure 5.3).</p>

Table 5.1 Approved product storage activities at Rooty Hill Regional Distribution Centre

Major Projects Application DA 05_0051	MOD1	MOD2	As at site inspection (17 November 2021)
Load-out			
Loads to be transferred from the main storage bins to a loading bin via a conveyor and diverter chute.	Replace above-ground reclaim conveyor with below-ground reclaim conveyor system.	No change.	All trucks are loaded by front-end loader from the open bays and from the stockpiles around the radial stacker and the main stockpiling area.
Material to be transferred to trucks via a telescopic chute.	The below ground system to feed material from the concrete storage bins to the truck loading facility for load-out to road trucks for delivery to customers.		There is no below ground reclaim conveyor system.
Load out facilities to consist of two truck loading stations (enclosed on three sides), each containing two truck loading points.	Removal of reclaim hopper. All material stored in the radial stacker stockpiles would be transferred directly to trucks for distribution via front end loader.		There are no truck loading stations.
	Minor changes to the conveyor and chute system to reflect the revised project configuration.		
Concrete batching plant			
The CBP would have capacity of 200,000 metres cubed (m³) and would consist of 4 silos (23 m tall) and would store 120 t of product.	No change.	No change.	Refer to outcomes and recommendations detailed in Condition 1.1 of DA 05_0051, Table 5.4.
The facility would also include parking for agitators, holding bins, open on ground aggregate storage bins (capacity of 1,740 t), washout pits, truck wash bays, and office and amenity facilities.			
20 agitator parking bays.			
Layout provided in EA Figure 5.15 (see Figure 4.2 below).			

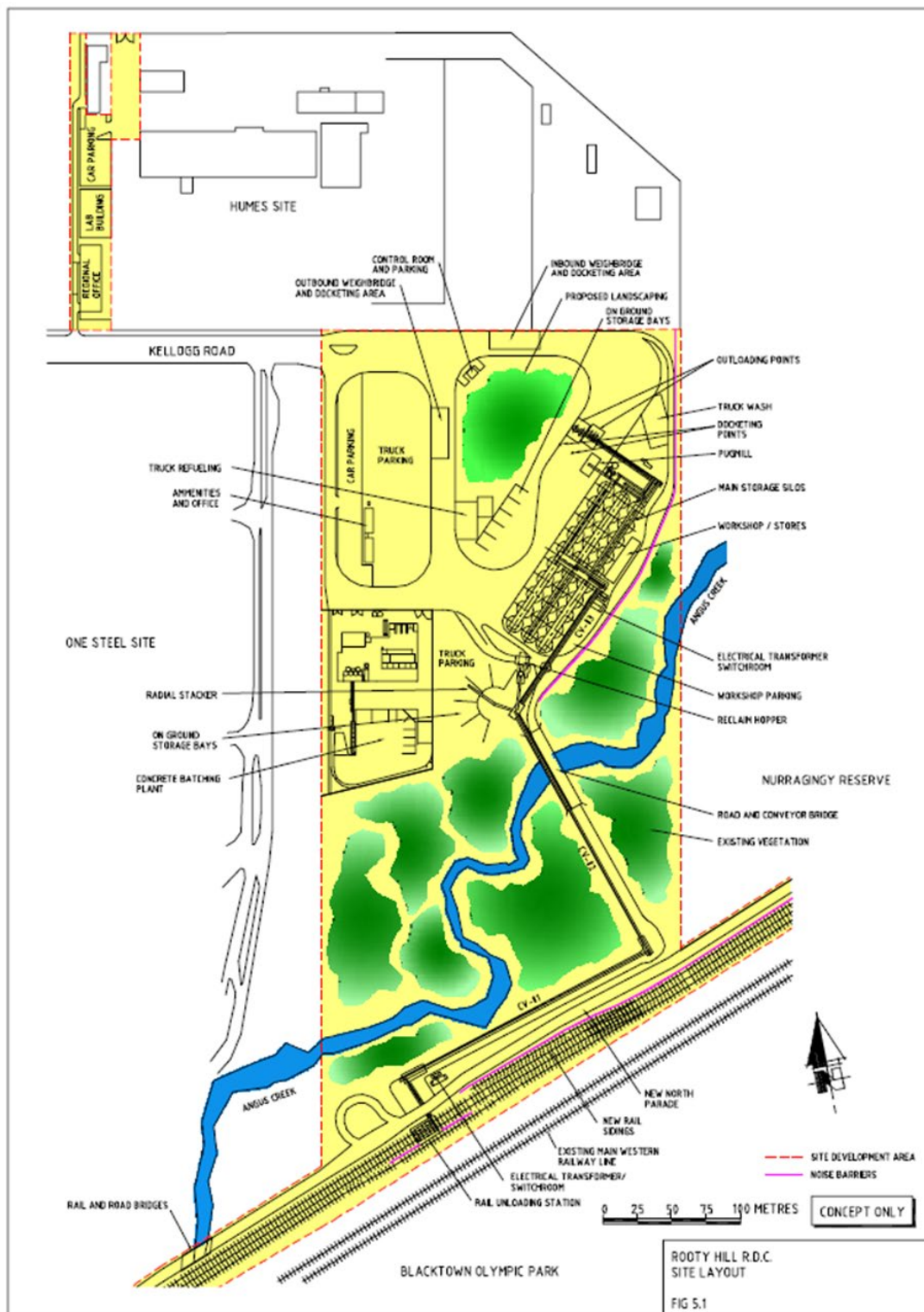


Figure 5.1 Figure 5.1 from original Environmental Assessment (National Environmental Consulting Services 2005)

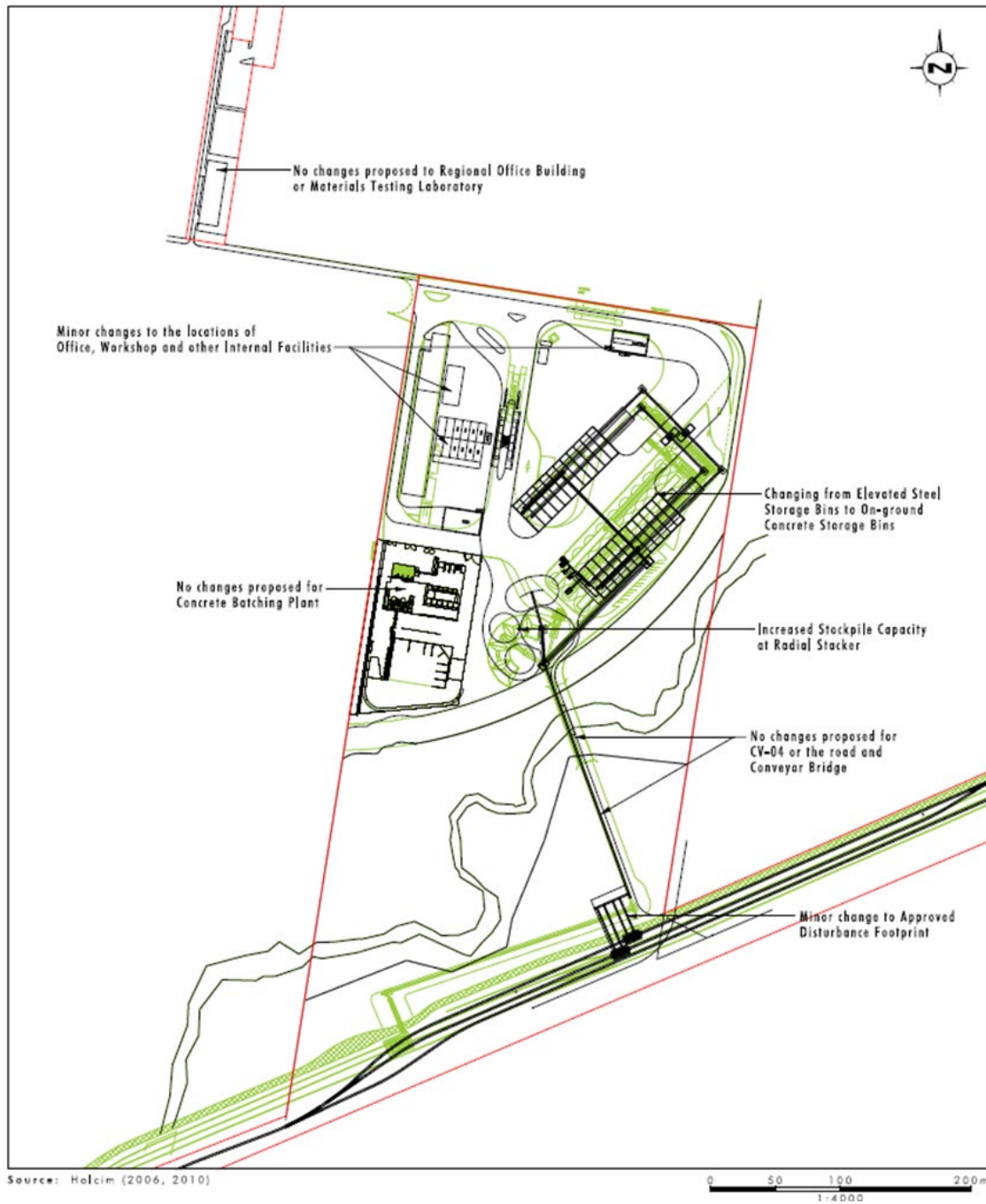
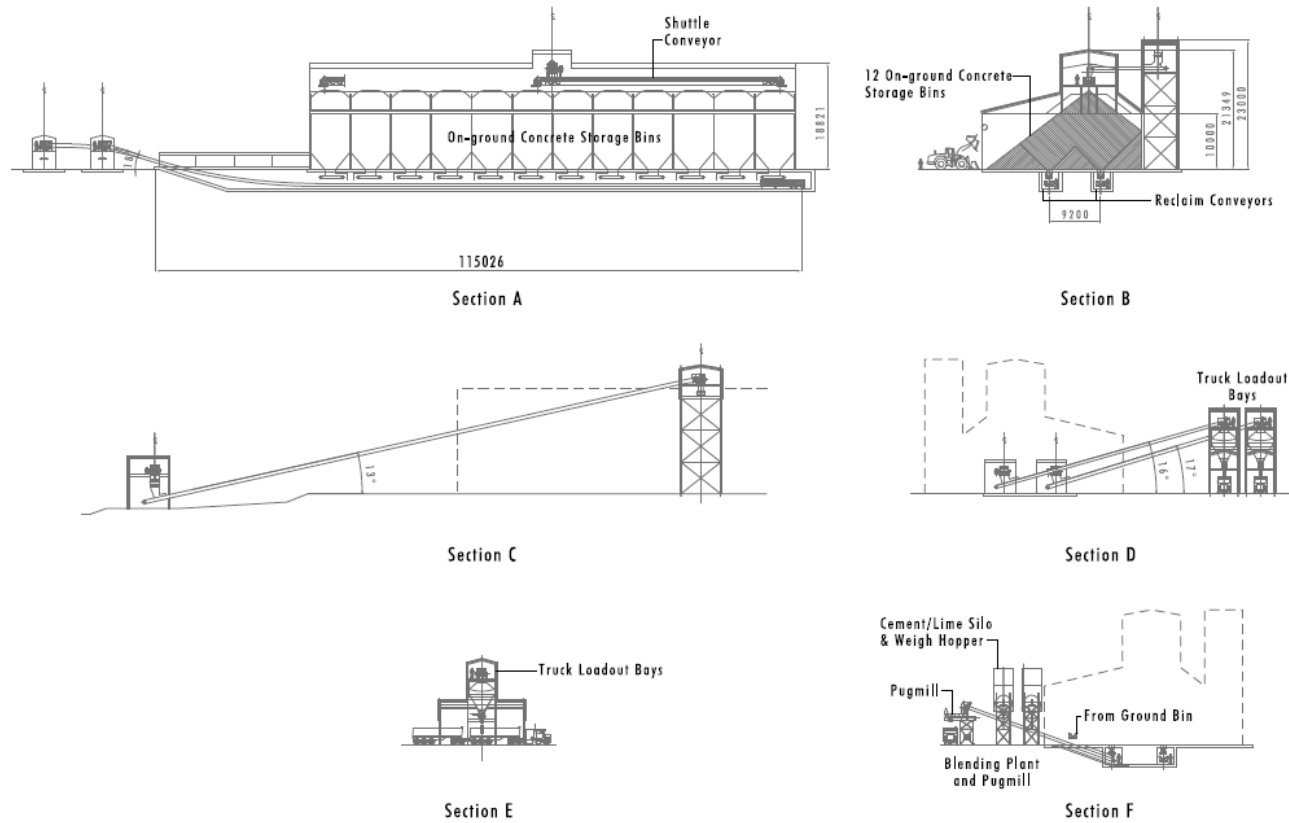


Figure 5.3 Figure 3.3 from MOD1 Environmental Assessment (Umwelt 2010)



Note: Not to scale, dimension are in millimetres
File Name (A4): R02_V1/2802_037.dgn

FIGURE 3.4

Indicative On-ground Concrete Storage Bin
and Truck Loadout Bay Sections

Figure 5.4 Figure 3.4 from MOD1 Environmental Assessment (Umwelt 2010)



Figure 5.5 Figure 1.2 from MOD2 Environmental Assessment (Umwelt 2017).

5.4 Environment Protection Licence

EPL 20672 was surrendered in June 2020.

A search of the EPA Public Register of POEO Licences records has shown the below.

5.4.1 Notices

No notices, including penalty notices, are recorded other than the approval of the surrender of the licence dated 18 June 2020. The reason for the surrender is that, following amendments to Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act), the EPA recommended that the licensee consider surrendering the licence.

5.4.2 Annual returns

Annual returns from 2018 to 2020 (final) resulted in no non-compliances being recorded.

5.5 Advice and comments from public authorities

The details regarding contact with relevant public authorities and the matters raised by those authorities are detailed below. Full responses are provided in Appendix G.

Table 5.2 Notification and response from public authorities

Authority	Letter sent (date)	Reply received (date)	Details
NSW Environment Protection Authority	23 August 2021	3 September 2021	See Section 5.5.1.
DPIE – Water	23 August 2021	No response was received.	N/A
DPIE – Biodiversity Conservation Division	23 August 2021	12 October 2021	See Section 5.5.2.
DPIE – Energy, Climate Change & Sustainability	23 August 2021	No response was received.	N/A
Transport for NSW	23 August 2021	No response was received.	N/A
Blacktown City Council	23 August 2021	6 October 2021	See section 5.5.3.

Note: Automated acknowledgement emails are not recorded as replies

5.5.1 NSW Environment Protection Authority

Note – EPL 20672 has been surrendered.

i Response

Information received from EPA regarding complaints or EPA regulatory action is as follows:

- Formal Warning issued 13 January 2017 – licensee’s Annual Return (91234) for the reporting period 28 September 2015 to 27 September 2016, reported two non-compliances related to the Noise Impact Verification (ie failure to undertake a noise verification monitoring program within three months of commencement of operations at the premises, and to provide a report containing results of noise monitoring by the due date specified in the licence). [Note – this item relates to a previous auditable period and is not a relevant consideration for this IEA].
- Dust complaint (CIRAM I0284-2018) EPA inspected site on 21 August 2018 – EPA investigation deemed likely cause was from sand stockpile and loading areas. Advisory letter issued to licensee – 5 September 2018.
- 12 August 2019 – incident report received of several trucks allegedly set on fire at the premises. EPA investigated potential oil and/or fuel release onto premises and concluded satisfactory – no further action.

ii Audit implications

The surrender of EPL 20672 is noted.

5.5.2 DPIE – Biodiversity and Conservation Division

i Response

DPIE – Biodiversity and Conservation Division (the former NSW Office of Environment and Heritage (OEH)), has not been involved in compliance with the conditions of DA 05_0051 from 2019 to 2021, and has no comments on the operating environment or performance of RHDC.

ii Audit implications

Noted. No non-compliance issues.

5.5.3 Blacktown City Council

i Response

Council has no record of any environmental performance issues for the auditable period.

ii Audit implications

Noted. No non-compliance issues.

5.6 Environmental monitoring

5.6.1 Noise monitoring

Noise monitoring is undertaken quarterly and publicly reported. The reports are prepared by Muller Acoustic Consulting (MAC). MAC uses four representative monitoring locations – two at the nearest residential areas to the east and west; one in the recreational precinct to the south; and one in the industrial precinct to the north. The non-residential monitoring locations varied a little during the past two years, notably due to Covid access restrictions. Monitoring includes both attended and un-attended monitoring. Refer to Table 5.3.

Table 5.3 Noise monitoring summary

Report	Noise criteria satisfied?	Notes
2019 – Q1	Yes	Noise emissions occasionally audible but below relevant criteria.
2019 – Q2	Yes	Noise emissions occasionally audible but below relevant criteria.
2019 – Q3	Yes	Noise emissions generally inaudible and below relevant criteria.
2020 – Q1	Yes	Noise emissions inaudible at residential monitoring points and audible at the industrial monitoring point. All emissions were below relevant criteria.
2020 – Q2	Yes	Noise emissions generally inaudible and below relevant criteria.
2021 – Q1	Yes	Noise emissions inaudible at residential monitoring points and audible at the recreational precinct monitoring point. All emissions were below relevant criteria.

5.6.2 Air quality monitoring

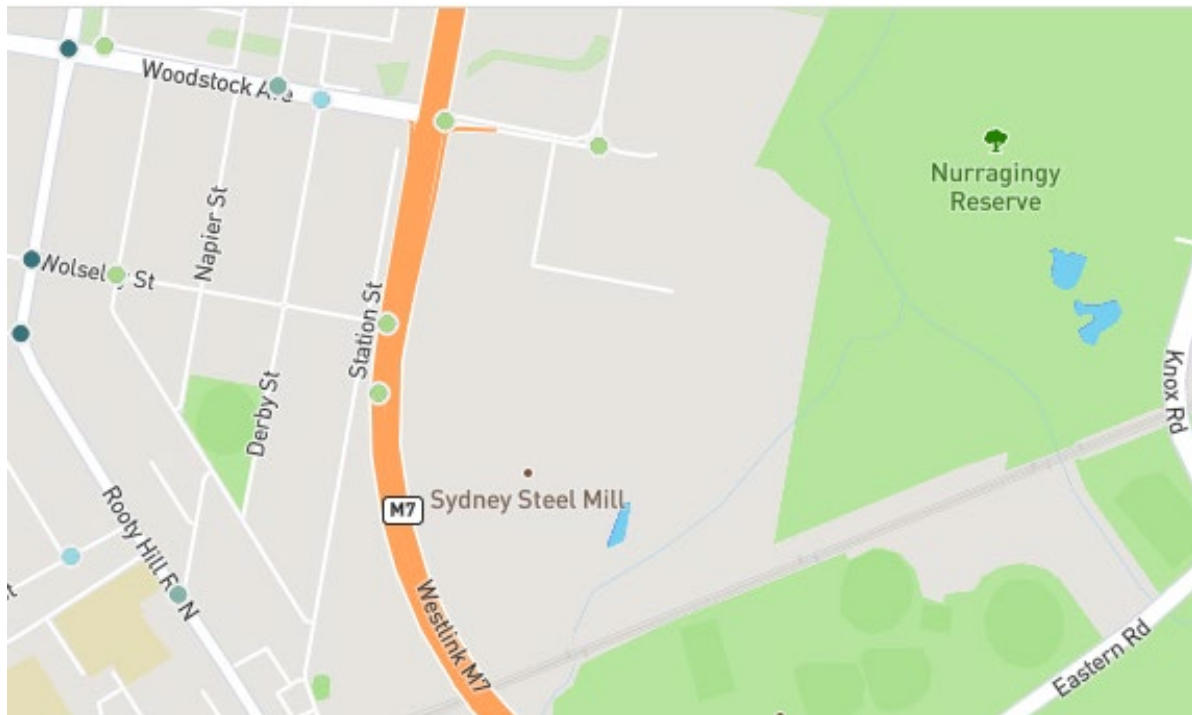
As noted in the letter to Holcim from NSW EPA (dated 23 August 2021), several air quality sampling events in 2019 were not undertaken.

5.6.3 Traffic incidents

Crash and casualty data from the Transport for NSW (TfNSW) Centre for Road Safety is only available for 2019 within the audit period.

No traffic incidents are attributable to vehicles associated with the RHDC, noting that no crashes were recorded withing Kellogg Road.

Within the local road network east of the M7, two crashes were recorded (green dots – refer to Figure 5.6) which were classified as *non-casualty (towaway)* incidents.



Source: Transport for NSW, Centre for Road Safety; Crash and casualty statistics 2019

Figure 5.6 Local crash data

5.7 2021 audit results

5.7.1 Overview

This section provides audit results relating to compliance of the RHDC with the conditions listed in DA 05_0051 and associated Statement of Commitments, as amended, and the EPL 20672 (prior to 18 June 2020). As per the Independent Audit PAR 2018 requirement, the audit table provides:

- the approval or licence number;
- a unique identification number;
- the schedule and condition number for each item;
- the exact working of the compliance requirement;
- the evidence used to assess and determine whether each requirement has been complied with; and
- commentary on findings and recommendations; and the compliance status based on the criteria provided in Table 2.1.

5.7.2 Audit results

A summary of the conditions where a non-compliance was recorded is provided in Table 5.4. A summary of recommendations that have not been provided in Table 5.4, are outlined in Table 5.5. Photographs illustrating the condition of the site during the site inspection are provided in Appendix B.

The detailed assessment against compliance obligations associated with in DA 05_0051, the associated Statement of Commitments, EPA 20672 and EPA surrender of licence are provided in Appendix C and Appendix D.

Table 5.4 Audit non-compliance

Condition	Requirement	Evidence	Comments	Audit finding
DA 05_0051				
DA 05_0051, Condition 1.1	<p>Terms of approval</p> <p>The Proponent must carry out the project generally in accordance with the:</p> <p>a) Project Application 05_0051;</p> <p>b) <i>Environmental Assessment Report for the Proposed Regional Distribution Centre, Rooty Hill</i>, volumes 1-3, prepared by National Environmental Consulting Services, dated October 2005;</p> <p>c) <i>Response to Issues Raised in Submissions to EAR</i>, prepared by National Environmental Consulting Services, dated February 2006;</p> <p>d) the final <i>Statement of Commitments</i>, submitted by the Proponent to the Department on 17 March 2006; and</p> <p>e) <i>the Environmental Assessment Report - Proposed Minor Modification to Holcim Regional Distribution Centre</i> (RDC), Rooty Hill, NSW prepared by Umwelt (Australia) Pty Limited, dated October 2010, including the <i>Response to Submissions for Proposed Minor Modification to Holcim Regional Distribution Centre</i> (RDC), Rooty Hill, NSW, dated 9 December 2010, and the March 2011 <i>Modification Statement of Commitments</i> shown in Attachment 2;</p> <p>f) the <i>Environmental Assessment Report - Rooty Hill Regional Distribution Centre Minor Modification</i>, prepared by Umwelt (Australia) Pty Limited and dated February 2017; including the <i>Response to Submissions for Proposed Minor Modifications to Holcim Regional Distribution Centre</i> (RDC), Rooty Hill, NSW, dated 16 May 2017; and</p> <p>g) the conditions of this approval.</p> <p>Note: The general layout of the project is shown in Attachment 3.</p>	<p>Major Projects Application DA 05_0051 (DA 05_0051), as modified, and associated assessments.</p> <p>Modification Application DA 05_0051 MOD1 and the accompanying environmental assessment (EA) (2011).</p> <p>Modification Application DA 05_0051 MOD2 and the accompanying EA (2017).</p> <p>Site inspection.</p> <p>Building Certificate for mobile CBP issued by Blacktown City Council on 8 November 2018.</p> <p>Construction Certificate C.C. No: 20190116 issued by Essential Certifiers on 08/11/2018 for the construction of the permanent CBP.</p> <p>DPIE correspondence regarding temporary and mobile, as well as permanent, CBP dated 25 June 2018, 16 July 2018, 4 September 2018, 1 November 2018 and Holcim's responses to each.</p> <p>RHDC IEA 2018.</p>	<p>RHDC IEA 2018 identified that the CBP and the aggregate storage areas are substantially different from the approved facilities.</p> <p>A key issue has been the construction and operation of a temporary mobile CBP, which was inconsistent with approval documentation (refer to Section 5.2.2). Since then, Holcim and DPIE have liaised regarding this matter and Holcim has attempted to rectify this issue.</p> <p>Holcim obtained a Building Certificate for the operation of a mobile/temporary CBP issued by Blacktown City Council on 8 November 2018, as per DPIE's instructions.</p> <p>Subsequently, a Construction Certificate was issued for the permanent CBP on 8 November 2018, after which the permanent CBP was constructed and commissioned.</p> <p>The issue of a Construction Certificate is taken to have resolved the issue of the previously reported difference between the consent drawings and the proposed layout of the CBP, however, an Occupation Certificate has not been sighted during this audit.</p> <p>Aggregate storage areas remain unchanged from the last audit, and it is not clear whether this issue has been resolved.</p> <p>Recommendation:</p> <p>Actions are taken to ensure that material storage and handling facilities are constructed and operated as approved. This could be through:</p> <ul style="list-style-type: none">• amending existing site components and layout to comply with DA 05_0051 (as modified); and or• seeking advice from relevant regulatory agencies, including DPIE and EPA, on reconciling current operations and site infrastructure with Condition 1.1 of DA 05_0051 (as modified). The non-enclosure of the materials storage bins is the primary anomaly. This option may include the further modification of the Project Approval. <p>Occupation Certificate must be obtained in order to operate the CBP and associated buildings.</p>	Non-compliant
DA 05_0051, Condition 1.3	<p>The Proponent must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:</p> <p>a) any reports, plans or correspondence that are submitted by the Proponent in accordance with this approval; and</p> <p>b) the implementation of any actions or measures contained in those reports, plans or correspondence submitted by the Proponent.</p>	<p>Discussion with Holcim's Environmental Representatives including Planning and Environment Coordinator NSW/ACT S. Shashi and Site Manager R. Flack (Holcim's audit team) during the audit period.</p> <p>DPIE correspondence regarding temporary and mobile, as well as permanent, CBP dated 25 June 2018, 16 July 2018, 4 September 2018, 1 November 2018 and Holcim's responses to each.</p>	<p>Holcim's audit team confirmed that there were no site requirements relating to reports or plans from the Secretary's office that have been issued within the current audit period (29 November 2018 - 29 November 2021).</p> <p>Correspondence sighted between DPIE and Holcim regarding the temporary and mobile, as well as permanent, CBP noted requirements to obtain a Building Certificate from Blacktown City Council for the temporary and mobile CBP and a Construction and subsequent Occupation Certificate from a private certifier for the permanent CBP.</p> <p>A Building Certificate was issued for the mobile and temporary CBP by Blacktown City Council on 9 November 2018.</p> <p>A Construction Certificate No. 20190116 was issued on 8 November 2018 by Essential Certifiers for the permanent CBP. However, no Occupation Certificate was sighted as noted in Condition 1.1.</p> <p>Recommendation: refer to Condition 1.1.</p>	Non-compliant

Table 5.4 Audit non-compliance

Condition	Requirement	Evidence	Comments	Audit finding
DA 05_0051, Condition 1.8	<p>Management Plans/Monitoring Programs</p> <p>With the approval of the Secretary, the Proponent may prepare and submit any management plan or monitoring program required by this approval on a progressive basis. Where a management plan or monitoring program is required before carrying out the project, or any stage of the project, the plans/ programs may be prepared and submitted in relation to either discrete components of the project or for a specified time period.</p>	<p><i>RHDC Operational Environmental Management Plan</i> dated 2019 (OEMP 2019).</p> <p><i>RHDC Operational Environmental Management Plan</i> dated October 2021 (OEMP 2021), which includes the following other management plans:</p> <ul style="list-style-type: none">• General Site Management Plan;• Noise Management Plan;• Traffic Management Plan;• Dust Management Plan;• Soil and Water Management Plan;• Energy Saving Management Plan; and• Vegetation Management Plan. <p>OEMP 2021 also includes the following Operational Monitoring Plan:</p> <ul style="list-style-type: none">• Noise Monitoring Program;• Transport Monitoring Program;• Ambient Dust Monitoring Program; and• Aquatic Ecology and Water Quality Monitoring Program.	<p>See conditions relevant to management plans in regard to compliance relevant to preparation and submission of management plans.</p> <p>It is important to note that both OEMP 2019 and OEMP 2021 were provided during the audit period, however at different stages throughout the audit period, and therefore both have been considered for audit outcomes.</p> <p>It is our understanding that the latest OEMP 2021 was with DPIE for review/approval in accordance with conditions of consent, at the time of this audit. However, correspondence regarding this process has not been sighted during the audit and therefore cannot be verified.</p> <p>OEMP 2021 under the section 'Stakeholder Consultation' notes "during the review and revision of the 2015 OEMP, a draft OEMP was sent to DPIE for approval. Feedback on this Draft OEMP was received on 18 June 2021 and incorporated into this October 2021 OEMP as outlined in Appendix 9." Appendix 9 shows that DPIE comments were addressed. However, any correspondence regarding the OEMP submission or approval have not been verified.</p> <p>Recommendation: refer to response for Condition 5.6.</p>	Non-compliant
DA 05_0051, Condition 2.8	<p>The Proponent must design, construct, commission, operate and maintain the project in a manner that minimises dust emissions from the site, as specified in paragraph of the final Statement of Commitments submitted by the Proponent to the Department on 17 March 2006, including:</p> <ul style="list-style-type: none">a) all dust control systems for transfer, load out and unloading points, as well as materials handling activities must be designed and operated to comply with a solid particles emission limit of 20 mgm-3 as required by Part 4 of the <i>Protection of the Environment (Clean Air) Regulation 2002</i>;b) all storage bins must be enclosed;c) water spray systems must be installed to service all stockpiles;d) all paved trafficable areas must be swept as required by a permanently stationed street sweeper to minimise dust; ande) the application of Best Management Practice (BMP) and Best Available Technology Economically Achievable (BATEA), where reasonable and practicable, to minimise dust impacts during construction and operation of the project.	Site observations.	<p>Site visit observations:</p> <ul style="list-style-type: none">a) dust control systems in place, including rail unloading building and dust monitoring stations;b) storage bins are not enclosed as identified and discussed in Condition 1.1;c) water spray system operating over stockpiles;d) street sweeper stationary during visit but trafficable areas generally free of loose material; ande) regular operation of water cart for dust suppression and systems for 3% water addition to incoming raw materials observed. <p>Recommendation: see Condition 1.1 (as relevant to bin enclosure).</p>	Non-compliant

Table 5.4 Audit non-compliance

Condition	Requirement	Evidence	Comments	Audit finding																		
DA 05_0051, Condition 2.8A	<p>The Proponent must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 2 at any residence on privately-owned land.</p> <p>Table 2: Air quality criteria</p> <table><tr><th>Pollutant</th><th>Averaging Period</th><th>Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>Annual</td><td>^{a,d}25 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>24 hour</td><td>^{b,d}50 µg/m³</td></tr><tr><td>Particulate matter < 2.5 µm (PM_{2.5})</td><td>Annual</td><td>^{a,d}8 µg/m³</td></tr><tr><td>Particulate matter < 2.5 µm (PM_{2.5})</td><td>24 hour</td><td>^{b,d}25 µg/m³</td></tr><tr><td>Total suspended particulates (TSP)</td><td>Annual</td><td>^{a,d}90 µg/m³</td></tr></table> <p><i>Note:</i> "Reasonable and feasible avoidance measures" includes, but is not limited to, the operational requirements in conditions 2.8, 3.1(b) and 5.3(d) to develop and implement an air quality management system that ensures operational responses to the risks of exceedance of the criteria.</p> <p><i>Notes to Table 3:</i> ^a Cumulative impact (ie increase in concentrations due to the development plus background concentrations due to all other sources). ^b Incremental impact (ie increase in concentrations due to the development alone, with zero allowable exceedances of the criteria over the life of the development). ^c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method. ^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary.</p>	Pollutant	Averaging Period	Criterion	Particulate matter < 10 µm (PM ₁₀)	Annual	^{a,d} 25 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	24 hour	^{b,d} 50 µg/m ³	Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a,d} 8 µg/m ³	Particulate matter < 2.5 µm (PM _{2.5})	24 hour	^{b,d} 25 µg/m ³	Total suspended particulates (TSP)	Annual	^{a,d} 90 µg/m ³	<p>INX register.</p> <p>No complaints.</p> <p>DPIE correspondence dated 28 August 2021 regarding RHDC (LEC No 10406 of 2006).</p> <p>2020 Annual Review (prepared for 1 July 2018 - 31 December 2020).</p>	<p>Holcim operate two HVAS PM10 monitors for the site, which are shown in site photographs of the RHDC IEA 2021 report.</p> <p>The available monitoring reports did not cover the entire audit period (December 2017 – July 2018 and December 2020 to present). However, July 2018 – December 2020 were reported in the 2020 Annual Review.</p> <p>Air quality parameters were exceeded on a few occasions within the audit period:</p> <ul style="list-style-type: none">• 3 and 9 April 2018 as recorded in the INX register.• PM10 criteria was exceeded at HVAS 1 on six occasions in 2020, as per the correspondence with DPIE dated 23 August 2021.• DPIE noted that several air quality sampling events in 2019 were missed.• 2020 Annual Review notes that in 2019, the annual average PM10 at HVAS 1 was greater than the Project Approval criteria, and reported a non-compliance with this condition.• A few incidents of excessive dust were recorded in the INX register (6 September 2019, 17 October 2019), however no air quality or dust complaints were received during the audit period. <p>Recommendations: continue with best practice dust and air quality management on-site and look into options to enclose product bin storage areas as conceptualised in the initial RHDC design. Refer to Condition 1.1 for further details.</p>	Non-compliant
Pollutant	Averaging Period	Criterion																				
Particulate matter < 10 µm (PM ₁₀)	Annual	^{a,d} 25 µg/m ³																				
Particulate matter < 10 µm (PM ₁₀)	24 hour	^{b,d} 50 µg/m ³																				
Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a,d} 8 µg/m ³																				
Particulate matter < 2.5 µm (PM _{2.5})	24 hour	^{b,d} 25 µg/m ³																				
Total suspended particulates (TSP)	Annual	^{a,d} 90 µg/m ³																				
DA 05_0051, Condition 2.21A	<p>The number of on-site and truck parking spaces to be provided for the project must be in accordance with sections 5.4.3, 5.4.4 and 5.4.6 of the EAR as follows:</p> <p>a) truck parking: 50 spaces (truck and dog configuration);</p> <p>b) car parking: a total of 310 spaces on the project site and Humes site, as follows:</p> <p>i) project site: 121 spaces; and</p> <p>ii) regional office and laboratory: 189 spaces, of which 84 are to be allocated to the project site staff and visitors and 105 are to be allocated to the staff and visitors to the existing Humes site;</p> <p>c) c) all car parking spaces must be marked/signposted in accordance with the above allocations. All visitor spaces must be located conveniently in relation to the various administrative offices on the site and must be clearly marked and signposted.</p> <p>d) all car and truck parking spaces must be sealed in a hardstanding material and drained in accordance with the approved stormwater management plan for the project;</p> <p>e) the design and dimensions of all truck and car parking spaces, together with all associated roads and manoeuvring areas, must be in accordance with AS2890.2 (2002);</p> <p>f) a detailed car and truck parking plan, at a scale of 1:200, and incorporating the above requirements, must be submitted for the approval of the Secretary prior to the commencement of any works.</p>	<p>Site observations.</p>	<p>This condition has not been met at this stage, as construction of all approved components (eg laboratory) had not been completed on the date of the site audit on 17 November 2021. The status on the date of the site audit was:</p> <ul style="list-style-type: none">• there are approximately 14 delineated truck (and dog) parking spaces currently;• there are approximately 38 delineated car parking spaces provided adjacent the site office/administration (including 2 disabled);• all parking areas sealed and drained to the site stormwater system;• truck and vehicle turning and manoeuvring areas appear to be constructed in accordance with the AS2890.2 (2002). <p>Based on staff numbers and site observations, there are adequate light vehicles spaces on the site currently.</p> <p>It is understood that Holcim do not propose to develop the regional office and laboratory site. Therefore the 189 spaces will not be required.</p> <p>Recommendation: the Project Approval should be modified to reflect the number of required parking sites in the absence of a laboratory facility being constructed on site.</p>	Non-compliant																		

Table 5.4 **Audit non-compliance**

Condition	Requirement	Evidence	Comments	Audit finding
DA 05_0051, Condition 2.6	Immediately after completion of initial planting/seeding and every year thereafter for the duration of the maintenance period the Proponent must submit to the Department a monitoring report addressing the performance criteria as specified in the Vegetation Management Plan, and comment on the stability and condition of any stream works. With each monitoring report, the person responsible for implementing the Vegetation Management Plan must certify in writing that plantings (including follow-up plantings) have been carried out using stock propagated from seed or plant material collected only from native plants from the local botanical provenance.		There is no evidence that any of the monitoring reports were submitted to the DPIE as per the requirement of this condition.	Non-compliant
DA 05_0051, Condition 3.2	The Proponent must review the Operational Monitoring Program referred to under Condition 3.1 on a six-monthly basis, and may, with the agreement of the Secretary, alter the frequency and/or scope of monitoring provided: <ul style="list-style-type: none"> a) pollutant/parameter monitoring has been undertaken for a period of no less than six months (measured from the commencement of operation of the project); b) there has been no exceedance of any limit placed on the subject pollutant or parameter, through this consent or any Environment Protection Licence under the Protection of the Environment Operations Act 1997 within the preceding six-month period; c) there has been no reasonable complaint received from the public in relation to the subject pollutant/ parameter within the preceding six-month period (refer to Condition 4.3 of this approval); and d) the EPA raises no objection to the proposed alteration to the frequency of pollutant/parameter monitoring. 	OEMP 2021.	There is no evidence that the Operational Monitoring Program has been reviewed on a six-monthly basis. Recommendation: the Operational Monitoring Program should be reviewed following finalisation of this audit and every six months thereafter.	Non-compliant
DA 05_0051, Condition 3.5A	Within a year of the date of the approval of MOD 2, and every three years thereafter, unless the Secretary directs otherwise, the Proponent must commission and commence, and pay the full cost of an Independent Environmental Audit of the development. This audit must: <ul style="list-style-type: none"> a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; b) include consultation with the relevant agencies; c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL or necessary water licences for the development (including any assessment, strategy, plan or program required under these approvals); d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and f) be conducted and reported to the satisfaction of the Secretary. 	The previous audit (RHDC IEA 2018) period was completed on 12 December 2017. MOD2 was approved on 29 June 2017. EMM was commissioned to undertake this IEA on 19 May (purchase order issued 19 May 2021). RHDC – IEA Submission Extension Request – Service Level Agreement email dated 23 November 2021.	(a) to (e) has been fulfilled. MOD2 was approved on 29 June 2017. The previous audit (undertaken for the period 31 March 2016 to 12 December 2017) notes "Given that the majority of the audit period was prior to the approval of MOD2, Condition 3.5 has been applied. However, it is noted that agencies were consulted as part of this audit." There is no evidence that an audit was undertaken within a year of the date of the approval of MOD2, and thus the current audit period is from 13 December 2017 - 17 November 2021. No evidence of the Secretary making available alternative arrangements. EMM Consulting was commissioned to undertake this independent environmental audit on 19 May 2021 (purchase order 4520690232), and activities officially commenced in the week of 16 August 2021. The site inspection was delayed due to State Government public health orders issued during the Covid-19 pandemic lockdown in the Greater Sydney Area. Holcim emailed DPIE on 23 November 2021 notifying DPIE about the delay and seeking an extension for the audit. Recommendation: The next audit should take place three years after this audit (ie November 2024).	Non-compliant
DA 05_0051, Condition 3.5B	Within 12 weeks of commencing an audit under condition 3.5A, or as otherwise agreed by the Secretary, the Proponent must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of these recommendations as required. The Proponent must implement these recommendations, to the satisfaction of the Secretary.	RHDC – IEA Submission Extension Request – Service Level Agreement email dated 23 November 2021.	Site audit was delayed due to Covid-19 restrictions. Holcim emailed DPIE on 23 November 2021 notifying DPIE about the delay and seeking an extension for the audit.	Non-compliant

Table 5.4 Audit non-compliance

Condition	Requirement	Evidence	Comments	Audit finding
DA 05_0051, Condition 5.2	<p>Construction Environmental Management Plan</p> <p>The Proponent must prepare and implement a Construction Environmental Management Plan to outline environmental management practices and procedures to be followed during the site preparation and construction activities during each stage of the project. The Plan must be consistent with the Department’s Guideline for the <i>Preparation of Environmental Management Plans</i> (DIPNR 2004) and must include, but not necessarily be limited to:</p> <ul style="list-style-type: none">a) the Management Plans listed under condition 5.3 of this approval;b) the environmental management and mitigation measures outlined in the documents referenced in condition 1.1; andc) complaints handling procedures during construction.		<p>A Construction Environmental Management Plan (CEMP) for the construction of the CBP has not been provided during the audit.</p> <p>There is no evidence to suggest that a CEMP was prepared and implemented during the construction of the CBP.</p>	Non-compliant
DA 05_0051, Condition 5.2	<p>The Plan must be approved by the Secretary prior to the commencement of any site preparation and construction works associated with the project subject to this approval, or within such period otherwise agreed by the Secretary. Construction works associated with any stage of the project subject to this approval must not commence until written approval has been received from the Secretary for that stage. The Proponent must implement the management plan as approved from time to time by the Secretary.</p>		Refer to response to Condition 5.2.	Non-compliant

Table 5.4 Audit non-compliance

Condition	Requirement	Evidence	Comments	Audit finding
DA 05_0051, Condition 5.3	<p>As part of the Construction Environmental Management Plan for the project, required under Condition 5.2 of this approval, the Proponent must prepare and implement the following Management Plans:</p> <p>a) a Soil and Water Management Plan to detail measures to minimise dust, erosion and the discharge of sediment and other pollutants to lands and/or waters during construction works associated with the project. The Plan must be prepared in accordance with Landcom’s Managing Urban Stormwater: Soils and Construction, 4th edition, March 2004.</p> <p>b) a Noise Management Plan to detail measures to minimise noise generated during construction activities associated with the project. The Plan must include, but not necessarily be limited to:</p> <p>i) identification of each work area, site compound and access route (both private and public), and the identification of the specific activities that will be carried out and associated noise sources at these sites;</p> <p>ii) identification of all potentially affected sensitive receivers, and the specification of the noise and vibration criteria for the proposed works (as identified in the documentation listed in Condition 1.1);</p> <p>iii) demonstration that the construction methods (including construction traffic noise) will meet the objectives of the EA and noise criteria. This must include an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise impacts where the objectives are predicted to be exceeded;</p> <p>iv) a detailed description of what actions and measures would be implemented to ensure that these works would comply with the relevant noise and vibration criteria;</p> <p>v) procedures for notifying residents of construction activities that are likely to effect their noise and vibration amenity, as well as procedures for dealing and responding to noise complaints; and</p> <p>vi) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be conducted, how the results of this monitoring would be recorded; and</p> <p>vii) if any non-compliance is detected, with the criteria in Condition 2.3 or the noise mitigation measures described in the Noise Management Plan, a description of what procedures would be followed to ensure compliance.</p>		Refer to response to Condition 5.2.	Non-compliant

Table 5.4 Audit non-compliance

Condition	Requirement	Evidence	Comments	Audit finding
DA 05_0051, Condition 5.3	<div><div>c) d) a Dust Management Plan to outline measures to minimise and manage any impacts from the construction of the project on local air quality. The Plan must include, but not necessarily be limited to:</div><div><div>i) identification of all major sources of dust that may occur as result of the construction of the project;</div><div>ii) description of the procedures to manage the emission of dust from the sources identified;</div><div>iii) identification of the locations where monitoring of dust emissions is to be undertaken;</div><div>iv) procedures for the monitoring of dust emissions from the project, in accordance with any requirements of the EPA;</div><div>v) protocols for regular maintenance of the construction plant and equipment to minimise the potential for dust emissions;</div><div>vi) a principal requirement to satisfy the relevant goals specified under Condition 2.8 and 2.8A of this approval at all times;</div><div>vii) a system that allows for periodic assessment and reasonable implementation of Best Management Practice (BMP) and Best Available Technology Economically Achievable (BATEA) to minimise dust impacts during the construction of the project;</div><div>viii) a system for regular auditing to ensure the effective implementation and maintenance of mitigation measures required to achieve the air quality goals specified under Condition 2.8 and 2.8A of this approval;</div><div>ix) pro-active and reactive management and response mechanisms for particulate emissions, with specific reference to measures to be implemented and actions to be taken in a timely manner to minimise and prevent reasonably foreseeable elevated air quality impacts on surrounding land uses as a consequence of meteorological conditions during construction of the project or the specific construction works being undertaken at any particular time; and</div><div>x) description of procedures to be undertaken if any non-compliance is detected.</div></div><div>The Proponent must implement the management plan as approved from time to time by the Secretary.</div></div>		Refer to response to Condition 5.2.	Non-compliant
DA 05_0051, Condition 5.6	<div>Within 3 months of the submission of an:</div> <div><div>a) incident report under condition 6.1 below;</div><div>b) Annual Review under condition 6.3 below;</div><div>c) Independent Environmental Audit under Condition 3.5 or condition 3.5B above; and</div><div>d) any modifications to this consent,</div></div> <div>The Proponent must review the strategies, plans and programs required under this consent, to the satisfaction of the Secretary. The Proponent must notify the Department in writing of any such review being undertaken. Where this review leads to revisions in any such document, then within 6 weeks of the review the revised document must be submitted for the approval of the Secretary.</div> <div>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve environmental performance of the development.</div>		<div>OEMP 2021 is currently under review by DPIE and has not been endorsed yet.</div> <div>This audit has identified that management plan(s) and Annual Review(s) are not being completed and submitted to DPIE within the timeframes specified in the conditions.</div> <div>Recommendation:</div> <div>Annual Reviews, management plans and monitoring programs need to be prepared and/or updated in accordance with the timeframes specified in conditions of consent.</div> <div>Annual Reviews, management plans and monitoring programs need to be submitted to DPIE and other relevant government agencies, as specified in conditions of consent (and records kept regarding dates that documents were sent to DPIE).</div>	Non-compliant

Table 5.4 Audit non-compliance

Condition	Requirement	Evidence	Comments	Audit finding
DA 05_0051, Condition 5.7	<p>Where consultation with any public authority is required by the conditions of this consent, the Proponent must:</p> <ul style="list-style-type: none">a) consult with the relevant public authority prior to submitting the required document to the Secretary for approval;b) submit evidence of this consultation as part of the relevant document;c) describe how matters raised by the authority have been addressed and any matters not resolved; andd) include details of any outstanding issues raised by the authority and an explanation of disagreement between any public authority and the Proponent.		<p>As per outcomes of Condition 5.6, consultation has not taken place in accordance with timelines specified in the consent.</p> <p>There is no evidence of formal tracking system for matters raised by authorities.</p>	Non-compliant
DA 05_0051, Condition 6.3	<p>Annual Performance Reporting</p> <p>The Proponent must, throughout the life of the project, prepare and submit to the Secretary, an Annual Review. The Annual Review must review the performance of the project against the Operation Environmental Management Plan (refer to Condition 5.4 and Condition 5.5 of Annual Review must include, but not necessarily be limited to:</p> <ul style="list-style-type: none">a) details of compliance with the conditions of this approval;b) a copy of the Complaints Register (refer to condition 4.3 of this approval) for the preceding twelve-month period (exclusive of personal details), and details of how theses complaints were address and resolved;c) a comparison of the environmental impacts and performance of the project against the environmental impacts and performance predicted in those documents listed under Condition 1.1 of this approval;d) results of all environmental monitoring required under this approval and other approvals, including interpretations and discussion by a suitably qualified person; ande) a list of all occasions in the preceding twelve-month period when environmental performance goals for the project have not been achieved, indicating the reason for failure to meet the goals and the action taken to prevent recurrence of that type of incident.	<p>All Annual Review reports with the exception of Annual Review 2017 have been uploaded to the Holcim RHDC webpage.</p>	<p>DPIE noted that Holcim "failed to submit the Annual Review for the reporting periods from 1 July 2018 to 31 June 2019 and 1 July 2019 to 31 June 2020 in accordance with Condition 6.4 of the approval and advises that this non-compliance will be followed up separately by the Department."</p> <p>Recommendation: as per DPIE's advice, the Annual Reviews on the calendar year basis with the 2012 Annual Review should be submitted in March 2022.</p>	Non-compliant
DA 05_0051, Condition 6.4	<p>The Proponent must submit a copy of the Annual Review to the Secretary, EPA and Council every year, with:</p> <ul style="list-style-type: none">i) the first Annual Review to be submitted within twelve months after the commencement of operation of the project; andii) the second and subsequent Annual Review to be submitted concurrently with the EPA's Annual Return.		<p>Refer to response to Condition 6.3.</p>	Non-compliant
DA 05_0051, Condition 6.4	<p>The Proponent must make the Annual Review available to the public for inspection upon request.</p>		<p>All Annual Review reports with the exception of Annual Review 2017 have been uploaded to the Holcim RHDC webpage.</p> <p>Recommendation: refer to Condition 4.1. (ie All Annual Review reports should be uploaded to the website).</p>	Non-compliant

Table 5.4 **Audit non-compliance**

Condition	Requirement	Evidence	Comments	Audit finding
DA 05_0051, Condition 6.5	The Secretary may require the Proponent to address certain matters in relation to the environmental performance of the project in response to review of the Annual Environmental Report in relation to compliance with this approval and any comments received from the EPA and/or Council. Any reasonable action required to be undertaken must be completed within such period as the Secretary may agree.	DPIE letter dated 23 August 2021 regarding: RHDC (LEC No 10406 of 2006) Annual Review 1 July 2018 – 31 December 2020	<p>DPIE notes the incidents regarding exceedance of air quality criteria, however no timelines are given for taking action.</p> <p>As per DPIE correspondence, "onsite monitoring is required to be undertaken in accordance with the approval and any associated Management Plans, as approved by the Planning Secretary. Any amendments to the parameters required to be monitored, including monitoring frequencies and locations are to be included in the amended respective Management Plans and submitted to the Planning Secretary for approval, prior to implementation."</p> <p>Recommendation: air quality non-compliances noted in the Annual Review 2020 and in DPIE's Letter should be addressed.</p> <p>Annual Reviews, management plans and monitoring programs need to be prepared and/or updated in accordance with the timeframes specified in conditions of consent.</p> <p>Annual Reviews, management plans and monitoring programs need to be submitted to DPIE and other relevant government agencies, as specified in conditions of consent (and records kept regarding dates that documents were sent to agencies).</p>	Non-compliant
Statement of Commitments				
1	To carry out the project generally in accordance with the documents listed in Condition 1.1.	<p>The original consent (DA 05_0051), Mod 1, Mod 2 documents.</p> <p>Site observations.</p>	See DA 05_0051 Condition 1.1.	Non-compliant
EPL 20672				
M1.3	<p>The following records must be kept in respect of any samples required to be collected for the purposes of this licence:</p> <p>a) the date(s) on which the sample was taken;</p> <p>b) the time(s) at which the sample was collected;</p> <p>c) the point at which the sample was taken; and</p> <p>d) the name of the person who collected the sample.</p>	<p>Annual Environmental Management Reviews (AEMRs)</p> <p>Phone call with S. Shashi on 23.02.2022.</p>	<p>Sample dates recorded</p> <p>Point of collection identified</p> <p>Time of collection and name of person not evident in AEMRs</p> <p>S. Shashi explained that Holcim has a new online system that records each item within the system, and thus hardcopies of this data are not kept. However, evidence was not provided to verify this.</p> <p>Recommendation: Take screenshots and provide evidence for any future audits.</p>	Non-compliant
E2.3	Within six (6) weeks of the completion of the noise verification monitoring campaign required by the licence Conditions E2.1 and E2.2, the licensee must provide a report containing the results and the interpretation of the monitoring to the EPA's Manager Sydney Industry, PO Box 668 Parramatta or metro.regulation@epa.nsw.gov.au including details of any reasonable and feasible improvement measures necessary to ensure the activity is in compliance with the noise limits set out in the licence.	<p>Reports prepared by Muller Acoustic Consulting for the period Q1 2019 to Q1 2021.</p> <p>S. Shashi phone call on 23.02.2022.</p>	<p>Reports prepared by Muller Acoustic Consulting for the period Q1 2019 to Q1 2021 signed within six weeks.</p> <p>Absence of proof of when sent to EPA.</p> <p>S. Shashi noted that with the EPA portal becoming digitised there is a new system in place that allows Holcim to email all reports to EPA electronically.</p> <p>Recommendation: Holcim should maintain records regarding dates that reports were submitted to regulatory agencies. For example, screenshots could be taken once documents are submitted to document submission.</p>	Non-compliant
EPL surrender				
2(c)	The content and form of the Annual Return must be in accordance with the applicable reporting conditions in the licence before it was surrendered.	Not verified.		Non-compliant
2(d)	The Annual Return must be signed in accordance with the applicable reporting conditions in the licence before it was surrendered.	Note verified.		Non-compliance.

Table 5.5 Audit recommendations (that have not already been outlined in Table 5.5)

	Requirement	Evidence	Comments	Recommendations
DA 05_0051, Condition 2.29	<p>Surface Water</p> <p>Except as may be expressly provided by an Environment Protection Licence for the project, the Proponent must comply with section 120 of the Protection of the Environment Operations Act 1997, which prohibits the pollution of waters. Except as may be expressly provided by an Environment Protection Licence for the project, the Proponent must comply with section 120 of the Protection of the Environment Operations Act 1997, which prohibits the pollution of waters.</p>	<p>Site observations.</p> <p>Annual Review 2020.</p> <p>Aquatic ecology monitoring by Niche.</p>	<p>Compliance status: Compliant</p> <p>Site visit observations confirmed that settlement pond wetlands, gabion riffle beds and sediment capture devices are all installed. Angus Creek was flowing.</p> <p>Long-term trends reported in the Annual Review 2020 note that "turbidity and dissolved oxygen were the only parameters that did not regularly meet the site-specific RHDC Water Quality Triggers for Dry Weather and ANZECC DTLs. This is an improvement from the results in the 2015-2016 Annual Review period which indicated turbidity, dissolved oxygen, total nitrogen and total phosphorous were consistently above the site trigger values. pH has continued to approach neutral since the beginning of 2017."</p> <p>Aquatic ecology monitoring report by Niche (2021) noted "All sites showed an increase in electric conductivity this season compared to the previous monitoring with all sites but one (AE4) being above the ANZECC DTVs. Of note high EC was recorded in the upstream sites indicating that there are upstream influences that are causing these elevated concentrations.....etc"</p> <p>The EPA register of penalty notices does not list any offences pursuant to POEO Act s 120 recorded regarding this site.</p>	<p>Recommendation: RHDC to investigate the cause of increase in electric conductivity.</p>
DA 05_0051, Condition 4.1	<p>By 30 September 2011, the Proponent must:</p> <p>a) make copies of the following publicly available on its website:</p> <ul style="list-style-type: none">the documents referred to in condition 1.1;all relevant statutory approvals for the project;all approved strategies, plans and programs required under the conditions of this approval;a comprehensive summary of the monitoring results for the project;a complaints register, which is to be updated on a quarterly basis;the Annual Review reports required under this approval (over the last 5 years);any independent environmental audit of the project, and the Proponent's response to any recommendations in any audit; andany other matter required by the Secretary; <p>b) keep this information up-to-date, to the satisfaction of the Secretary.</p>	<p>https://www.holcim.com.au/about-us/community-link/regional-distribution-centre-rdc-rooty-hill-nsw</p>	<p>Compliance status: Compliant</p> <p>a) As below:</p> <ul style="list-style-type: none">The website includes the documents related to the original EA, MOD1 and MOD2. These are indexed as 'Environmental Assessment Report & Response'.Statutory approvals for the project are provided in a web page titled 'Project Application & Approval'.Approved strategies, plans and programs are provided on pages titled 'Management Plans & Strategies'.Noise monitoring results for the project and Annual Environmental Review reports are provided on page 'Environmental Monitoring Reports'.A complaints register, which is to be updated on a quarterly basis is provided for all Holcim operations on their website. However, it is hard to locateThe AEMR has been provided for 2018–2020, 2015–2016, 2013–2014, etc, however the year 2017 has been missed.The previous independent environmental audits of the project has been provided in a page titled 'Independent Environmental Audit'. <p>b) Most information is up to date, however Annual Review 2017 is missing and given that some documents are currently under review (OEMP 2021) they have not been updated.</p>	<p>Recommendation: the OEMP currently uploaded is the OEMP 2015, which should be updated to the OEMP 2021 version as soon as approved by the DPIE.</p> <p>All Annual Review reports should be uploaded to the website.</p> <p>Access to the complaints register should be more intuitive (ie a direct link should be provided from the RHDC webpage).</p>

Table 5.5 Audit recommendations (that have not already been outlined in Table 5.5)

	Requirement	Evidence	Comments	Recommendations
DA 05_0051, Condition 5.1	<p>Environmental Representative</p> <p>Prior to the commencement of site preparation works, the Proponent must nominate a suitably qualified and experienced Environmental Representative(s) whose appointment is to receive prior approval of the Secretary. The Proponent must employ the Environmental Representative(s) on a full-time basis, or as otherwise agreed by the Secretary, during the operations at the site. The Environmental Representative must be:</p> <ul style="list-style-type: none">a) a) the primary contact point in relation to the environmental performance of the project;b) responsible for all Management Plans and Monitoring Programs required under this approval;c) responsible for considering and advising on matters specified in the conditions of this approval, and all other licences and approvals related to the environmental performance and impacts of the project;d) responsible for receiving and responding to complaints in accordance with condition 4.2 of this approval; ande) given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur. <p>The Proponent must notify the Secretary of any changes to that appointment that may occur from time to time.</p>	<p>Shilpa Shashi, Planning and Environment Coordinator NSW/ACT is the Environmental Representative for the RHDC.</p> <p>Rochelle Flack is the Site Manager for the RHDC.</p>	<p>Compliance status: Compliant</p> <p>S. Shashi and R. Flack were the environmental representatives for the RHDC site at the time the audit commenced, with S. Shashi acting as the primary contact in relation to the environmental performance of the project and fulfilling the responsibility of (a) to (e) of this condition. However, as noted previously, R. Flack has ceased employment with Holcim.</p> <p>There is no evidence that the Secretary has been notified in writing of the appointment of the current environmental representatives at the site.</p>	<p>Recommendation: The Secretary should be informed in writing about appointment of the current environmental representative(s).</p>

6 Audit summary

An independent environmental audit of the RHDC was undertaken to meet the requirements of Condition 3.5 of DA 05_0051. The period of auditing activity was from 13 December – 17 November 2021.

Audit evidence was collected during a site inspection on 17 November 2021, which was delayed due to the Covid-19 pandemic, as well as documents provided by Holcim before and after the inspection.

The RHDC is currently in the operations phase. The CBP that was mobile and temporary in nature has been decommissioned, and a new permanent CBP has been constructed in its place at the RHDC. The permanent CBP is in the operations phase.

From the audit, it was evident that environmental management has been considered during the operations and construction of the RHDC. However, there was no evidence to suggest that environmental management was fully compliant in regard to the operation of the permanent CBP (ie CEMP and Occupational Certificates have not been sighted).

The site continues to comply with water management practices and vegetation and rehabilitation management and initiatives. RHDC continues to be kept in a neat and tidy condition.

It was apparent during the site audit interview that RHDC's environmental representatives and site management generally have a good understanding of their environmental responsibilities and environmental issues on site. RHDC is generally well managed and appropriate environmental controls are in place.

The following key non-compliances of note were recorded:

- DA 05_0051 Condition 1.1 and 2.8: the aggregate storage areas continue to be substantially different from the approved facilities, and the permanent CBP is being operated without an Occupational Certificate;
- DA 05_0051 Condition 1.13: while the permanent CBP was constructed with a certified Construction Certificate, it is currently being operated without an Occupation Certificate;
- a CEMP was not prepared or implemented for the construction of the CBP; and
- DA 05_0051 Condition 1.8, 3.2 and 5.6: there is no evidence that the OEMP and monitoring programs were reviewed and submitted on a progressive basis or in a timely manner as per these conditions.

As a result of these items, some of which were identified during the last audit (RHDC IEA 2018), there is a potential to increase dust emissions from the site compared to the project as approved. It cannot be ruled out that these components could have a moderate environmental impact in the future as the site arrangements have not been considered in the air quality assessment undertaken as part of the development consent application process.

It is highly recommended to keep track of all regulatory agency consultation and liaison that takes place and have this correspondence readily available for future audits.

Further recommendations have been provided to address all non-compliances and a number of recommendations have been provided based on observations that were not related to non-compliances.



Appendix A

Planning Secretary's approval of auditor





Contact: Michelle Larkin
Phone: (02) 9995 6799
Email: compliance@planning.nsw.gov.au

Holcim (Australia) Pty Limited
Level 7 Tower B - 799 Pacific Highway
Chatswood NSW 2067

4 November 2021

Email: shilpa.shashi@holcim.com

Attention: Shilpa Shashi

Dear Ms Shashi

Agreement of Independent Auditor
Rooty Hill Regional Distribution Centre – MP05_0051

I refer to your submission **MP05_0051-PA-1** seeking the agreement of the Planning Secretary of the Department of Planning, Industry and Environment (**Department**) for a suitably qualified, experienced and independent auditor to undertake an independent audit of the Rooty Hill Regional Distribution Centre.

In accordance with Condition 3.5A of MP05_0051, I endorse as nominee of the Planning Secretary the following auditor from EMM Consulting Pty Ltd:

1. Allan Young, Auditor

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

The Independent Audit must be prepared, undertaken and finalised in accordance with the requirements of Conditions 3.5A and 3.5B of MP05_0051. The Department also recommends consideration be given to the *Independent Audit Post Approval Requirements May 2020* to the extent that it does not contradict Conditions 3.5A and 3.5B of MP05_0051. Failure to meet these requirements will require revision and resubmission.

<https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Assess-and-regulate/About-Compliance/independent-audit-post-approval-requirements-2020-05-19.pdf>

Please ensure that the audit team is made aware of these requirements.

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

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

If you have any questions, please contact Michelle Larkin on (02) 9995 6799 or compliance@planning.nsw.gov.au.



Yours sincerely

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

Julia Pope

Team Leader-Compliance Metro
As Nominee of the Planning Secretary



Appendix B

Site inspection photographs



B.1 Site inspection photographs



Photograph B.1 Holcim Rooty Hill Distribution Centre main entrance, signage and covered truck



Photograph B.2 Weighbridge



Photograph B.3 **Open aggregate bin/material storage area**



Photograph B.4 **Enclosed conveyor belt**



Photograph B.5 **Dust deposition gauge**



Photograph B.6 **Bunded chemical storage area**



Photograph B.7 **Concrete batching plant aggregate storage bins**



Photograph B.8 **Concrete washout area**



Photograph B.9 **Fire safety equipment**



Photograph B.10 **Fire safety equipment**



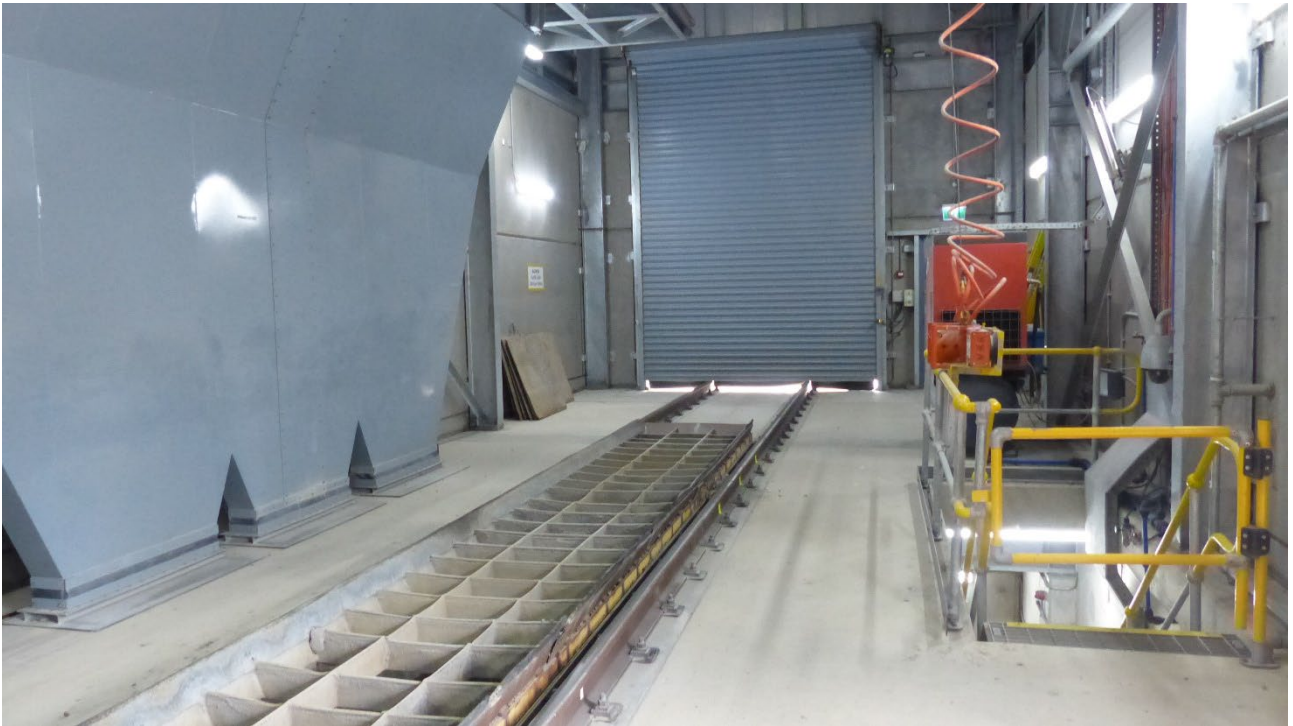
Photograph B.11 **Dust suppression sprinklers**



Photograph B.12 **Water cart**



Photograph B.13 **Secure chemical storage, concrete batching plant**



Photograph B.14 Rail offload facility, interior



Photograph B.15 Refuelling facility



Photograph B.16 **Angus Creek**



Appendix C

Project approval (DA 05_0051) and and SoC compliance register



Rooty Hill Distribution Centre
Independent Environmental Audit 2021
Development Consent

Condition of consent	Requirement (<i>exact wording</i>)	Evidence collected	Independent audit findings and recommendations	Compliance status
DA 05_0051 as modified (March 2011 Modification and June 2017 Modification)				
1. ADMINISTRATIVE CONDITIONS				
1.1	Terms of approval The Proponent must carry out the project generally in accordance with the: a) Project Application 05_0051; b) Environmental Assessment Report for the Proposed Regional Distribution Centre, Rooty Hill, volumes 1-3, prepared by National Environmental Consulting Services, dated October 2005; c) Response to Issues Raised in Submissions to EAR, prepared by National Environmental Consulting Services, dated February 2006; d) the final Statement of Commitments, submitted by the Proponent to the Department on 17 March 2006; and e) the Environmental Assessment Report - Proposed Minor Modification to Holcim Regional Distribution Centre (RDC), Rooty Hill, NSW prepared by Umwelt (Australia) Pty Limited, dated October 2010, including the Response to Submissions for Proposed Minor Modification to Holcim Regional Distribution Centre (RDC), Rooty Hill, NSW, dated 9 December 2010, and the March 2011 Modification Statement of Commitments shown in Attachment 2; f) the Environmental Assessment Report - Rooty Hill Regional Distribution Centre Minor Modification, prepared by Umwelt (Australia) Pty Limited and dated February 2017; including the Response to Submissions for Proposed Minor Modifications to Holcim Regional Distribution Centre (RDC), Rooty Hill, NSW, dated 16 May 2017; and f) the conditions of this approval. Note: The general layout of the project is shown in Attachment 3.	Major Projects Application DA 05_0051 (DA 05_0051), as modified, and associated assessments. Modification Application DA 05_0051 MOD1 and the accompanying environmental assessment (EA) (2011). Modification Application DA 05_0051 MOD2 and the accompanying EA (2017). Site inspection. Building Certificate for mobile CBP issued by Blacktown City Council on 8 November 2018. Construction Certificate C.C. No: 20190116 issued by Essential Certifiers on 08/11/2018 for the construction of the permanent CBP. DPIE correspondence regarding temporary and mobile, as well as permanent, CBP dated 25 June 2018, 16 July 2018, 4 September 2018, 1 November 2018 and Holcim's responses to each. RHDC IEA 2018.	RHDC IEA 2018 identified that the CBP and the aggregate storage areas are substantially different from the approved facilities. A key issue has been the construction and operation of a temporary mobile CBP, which was inconsistent with approval documentation (refer to Section 5.2.2). Since then, Holcim and DPIE have liaised regarding this matter and Holcim has attempted to rectify this issue. • Holcim obtained a Building Certificate for the operation of a mobile/temporary CBP issued by Blacktown City Council on 8 November 2018, as per DPIE's instructions. • Subsequently, a Construction Certificate was issued for the permanent CBP on 8 November 2018, after which the permanent CBP was constructed and commissioned. • The issue of a Construction Certificate is taken to have resolved the issue of the previously reported difference between the consent drawings and the proposed layout of the CBP, however, an Occupation Certificate has not been sighted during this audit. Aggregate storage areas remain unchanged from the last audit, and it is not clear whether this issue has been resolved. Recommendation: 1. Actions are taken to ensure that material storage and handling facilities are constructed and operated as approved. This could be through: – amending existing site components and layout to comply with DA 05_0051 (as modified); and or – seeking advice from relevant regulatory agencies, including DPIE and EPA, on reconciling current operations and site infrastructure with Condition 1.1 of DA 05_0051 (as modified). The non-enclosure of the materials storage bins is the primary anomaly. This option may include the further modification of the Project Approval. 2. Occupation Certificate must be obtained in order to operate the CBP and associated buildings.	Non-compliant
1.2	If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this approval must prevail to the extent of any inconsistency.	Noted.	Noted.	Note
1.3	The Proponent must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: a) any reports, plans or correspondence that are submitted by the Proponent in accordance with this approval; and b) the implementation of any actions or measures contained in those reports, plans or correspondence submitted by the Proponent.	Discussion with Holcim's Environmental Representatives including Planning and Environment Coordinator NSW/ACT S. Shashi and Site Manager R. Flack (Holcim's audit team) during the audit period. DPIE correspondence regarding temporary/mobile and permanent CBPs dated 25 June 2018, 16 July 2018, 4 September 2018, 1 November 2018 and Holcim's responses to each.	Holcim's audit team confirmed that there were no site requirements relating to reports or plans from the Secretary's office that have been issued within the current audit period (29 November 2018 - 29 November 2021). Correspondence sighted between DPIE and Holcim regarding the temporary and mobile, as well as permanent, CBP noted requirements to obtain a Building Certificate from Blacktown City Council for the temporary and mobile CBP and a Construction and subsequent Occupation Certificate from a private certifier for the permanent CBP - A Building Certificate was issued for the mobile/temporary CBP by Blacktown City Council on 9 November 2018. - A Construction Certificate No. 20190116 was issued on 8 November 2018 by Essential Certifiers for the permanent CBP. However, no Occupation Certificate was sighted as noted in Condition 1.1. Recommendation: Refer to Condition 1.1.	Non-compliant
1.4	Limits of approval The Proponent must not distribute more than four million tonnes of construction materials (excluding concrete) a year from the site.	Weighbridge sales records provided with 'Whole of Year' (WOY) totals for years 2017 - 2021 (up to 27 October 2021).	Weighbridge records confirm less than 2 million tonnes of material being distributed per year.	Compliant
1.5	The production capacity of the concrete batching plant must not exceed 200,000 cubic metres per year.	Holcim's Rooty Hill Distribution Centre (RHDC) Concrete Batching Plant production records for years 2017 - 2021 to date, provided in an email by G. Simon, Area Operations Manager.	RHDC Concrete Batching Plant records confirm annual production was less than 200,000 cubic metres for each year during the audit period.	Compliant

Rooty Hill Distribution Centre
Independent Environmental Audit 2021
Development Consent

1.6	Apart from the delivery of materials associated with the concrete batching plant, and special products, the Proponent must only receive construction materials at the site by rail, unless otherwise approved by the Secretary on a case-by-case basis. The Secretary's approval to receive materials at the site other than by rail must only be granted with adequate demonstration by the Proponent that exceptional circumstances exist.	Site observations.	Site visit observations indicated no construction materials were received by road. No laden in-bound trucks; no evidence of any activity to suggest in-bound delivery other than by rail.	Compliant
1.7	This approval shall lapse five years after the date on which it is granted, unless the works the subject of this approval are physically commenced on or before that time.	Site observations.	The RHDC, including the CBP, is in the operations phase.	Compliant
1.8	Management Plans/Monitoring Programs With the approval of the Secretary, the Proponent may prepare and submit any management plan or monitoring program required by this approval on a progressive basis. Where a management plan or monitoring program is required before carrying out the project, or any stage of the project, the plans/ programs may be prepared and submitted in relation to either discrete components of the project or for a specified time period.	RHDC Operational Environmental Management Plan 2015 (OEMP 2015). OEMP dated 2019 (OEMP 2019). RHDC OEMP dated October 2021 (OEMP 2021), which includes the following other management plans: • General Site Management Plan; • Noise Management Plan; • Traffic Management Plan; • Dust Management Plan; • Soil and Water Management Plan; • Energy Saving Management Plan; •Vegetation Management Plan. OEMP 2021 also includes the following Operational Monitoring Plan: •Noise Monitoring Program; •Transport Monitoring Program; •Ambient Dust Monitoring Program; •Aquatic Ecology and Water Quality Monitoring Program.	See conditions relevant to management plans in regard to compliance relevant to preparation and submission of management plans. It is important to note that both OEMP 2019 and OEMP 2021 were provided during the audit period, however at different stages throughout the audit period, and therefore both have been considered for audit outcomes. It is our understanding that the latest OEMP 2021 was with DPIE for review/approval in accordance with conditions of consent, at the time of this audit. However, correspondence regarding this process has not been sighted during the audit and therefore cannot be verified. OEMP 2021 under the section 'Stakeholder Consultation' notes "During the review and revision of the 2015 OEMP, a draft OEMP was sent to DPIE for approval. Feedback on this Draft OEMP was received on 18 June 2021 and incorporated into this October 2021 OEMP as outlined in Appendix 9." Appendix 9 shows that DPIE comments were addressed. However, any correspondence regarding the OEMP submission or approval have not been verified. Recommendation: Refer to response for Condition 5.6.	Non-compliant
1.9	Utilities and services Prior to the commencement of construction, the Proponent must identify (including, but not limited to the position and level of service) all public utility services on the site, roadway, footpath, public reserve or any public areas that are associated with, and/or adjacent to the site, and/or likely to be affected by the construction and operation of the project.	Evidence verified during RHDC IEA 2018 - Services Plan Lot 1 in DP 1150066 Holcim Aggregates Facility Project. Rooty Hill, 11 August 2015 was sighted.	RHDC IEA 2018 identified that two plans with public utility services were referred to, prior to, and during the construction of the CBP. Given that a Construction Certificate was issued for the site, all necessary stormwater structures, overhead power and under ground electricity, fire main line, sewer, water main and recycled main would have been considered prior to the construction process.	Compliant
1.10	The Proponent must consult with the relevant utility provider(s) for those services identified under condition 1.9 and make reasonable arrangements to adjust and/or relocate services as may be required as a result of undertaking the project. The Proponent must bear the full cost associated with providing utilities and services to the site, and restoring any public infrastructure that may be damaged as a result of the project.	As above.	Refer to response for Condition 1.9.	Compliant
1.11	Prior to the commencement of construction works that may affect services/utilities, the Proponent must provide documentary evidence to the Secretary that the reasonable requirements of the relevant utility provider(s) have been met.	As above.	Refer to response for Condition 1.9.	Compliant
1.12	Prior to the commencement of construction of the project, the Proponent must undertake a Final Hazard Analysis based on the detailed design of the project and with a particular focus on risks associated with the Sydney to Newcastle Natural Gas Pipeline. The Final Hazard Analysis must be undertaken in accordance with Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis (DUAP, 1997) and AS2885 Pipelines - Gas and Liquid Petroleum – Operation and Maintenance. The Final Hazard Analysis must be submitted for the approval of the Secretary prior to the commencement of construction works.	Evidence verified during RHDC Independent Environmental Audit, prepared by EMM for Holcim and dated 29 November 2018 for the last audit period up to December 2017 (Holcim's IEA 2017).	The project is in the operations phase. Pre-construction and construction compliance for the RHDC (excluding the CBP) is beyond the scope of this audit. Nevertheless, Holcim's IEA 2017 confirmed that a letter from the Department of Planning and Infrastructure (6 September 2015) regarding the approval of the Hazard Analysis was sighted during the last audit.	Compliant

Rooty Hill Distribution Centre
Independent Environmental Audit 2021
Development Consent

1.12A	Prior to the issue of a construction certificate, the Proponent is to pay \$177,644.00 to - Blacktown City Council for Infrastructure enhancement with Blacktown local government area.	Evidence verified during RHDC Independent Environmental Audit, prepared by EMM for Holcim and dated 29 November 2018 for the last audit period up to December 2017 (Holcim's IEA 2017).	The project is in the operations phase. Pre-construction and construction compliance for the RHDC (excluding the CBP) is beyond the scope of this audit. Nevertheless, Holcim's IEA 2017 confirmed that a receipt from Blacktown City Council (245378 20 July 2011) for payment of \$177,644.00 was signed during the last audit.	Compliant
1.13	Structural Adequacy The Proponent must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. Notes: Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the Project.	Construction Certificate C.C. No: 20190116 issued by Essential Certifiers on 08/11/2018 for the construction of the concrete batching plant. Site observations.	Construction Certificate issued for the construction of a concrete batching plant, with the following architectural plans approved: 1) male-female ambulant toilet, 2) lunchroom plans, 3) control room floor plans, and 4) architectural plans. Site observations indicate that there is no reason to believe that the structural adequacy of the permanent CBP has not been constructed with the relevant requirements of the BCA. Occupational Certificate has not been sighted during the audit (refer to Condition 1.1).	Non-compliant
2. SPECIFIC ENVIRONMENTAL CONDITIONS				
2.1	The Proponent must minimise noise emissions from plant and equipment operated on the site in relation to the project by installing and maintaining, wherever reasonable and practicable, efficient silencers, low-noise mufflers (residential standard) and replacement of reversing alarms with alternative measures, such as flashing lights.	Reviewed results of Quarterly Noise Monitoring Assessments prepared by Muller Acoustic Consulting (MAC) provided for the audit period (Q4 2017 - Q1 2021).	Regular Quarterly Noise Monitoring Assessments identified that while the site was audible at some noise monitoring locations in only a few instances, noise emissions generated at the site always remained below relevant criterion at all assessed residential receivers.	Compliant
2.1A	In order to minimise sleep disturbance, the Proponent must operate all shunting to and from the project by groups of rigidly-connected wagons (rakes) or other appropriate technology approved by the Secretary.	Photographic evidence provided by Holcim's Environmental Representative S. Shashi on 29 October 2021.	Photographic evidence shows rigidly-connected wagons in use. Holcim's Environmental Representative confirmed that shunting is no longer undertaken (ceased during this audit period).	Compliant
2.2	Construction The Proponent must only undertake construction activities associated with the project, that are audible at any residential receptor, between the following hours: a) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive; b) 8:00 am to 1:00 pm on Saturdays; and c) at no time on Sundays or public holidays.	Reviewed complaints register for audit period, provided on Holcim's website: https://www.holcim.com.au/community-complaint-register (Complaints register). Holcim's INX register (internal incidents and complaints register) for 01 Dec - 30 September 2021 (INX register). 2020 Annual Review (prepared for 1 July 2018 - 31 December 2020)	The RHDC was constructed prior to the audit period. This audit has concluded that the construction of the permanent CBP was undertaken somewhere between January 2019 - June 2019, however the precise dates for commencement and completion of construction could not be verified during the audit. The Annual Review 2018 - 2020 noted that the site contained all construction activities within the hours specified in this condition. Database searches of Holcim's internal complaints register system INX and online complaints register on Holcim's website, show no evidence of community complaints during the audit period.	Compliant
2.3	The Proponent must design, construct, operate and maintain the project to ensure that the noise contributions from the project to the background acoustic environment do not exceed the maximum allowable noise contributions specified in Table 1, at those locations and during those periods indicated. Table 1: Noise Criteria	Reviewed results of Quarterly Noise Monitoring Assessments prepared by Muller Acoustic Consulting (MAC) provided for the audit period (Q4 2017 - Q1 2021). Complaints register. INX register.	Quarterly noise monitoring results prepared by MAC demonstrated no noise exceedances of the operational noise criteria as a result of site operations, during the audit period. No noise complaints were registered.	Compliant

Location	Morning Shoulder (6am – 7am Monday to Saturday and 6am – 8am Sundays and Public Holidays)	Day 7am – 6pm Monday to Saturday and 8am – 6pm Sundays and Public Holidays	Evening 6pm – 10pm Monday to Sunday	Night 10pm – 7am Monday to Saturday and 10pm – 8am Sunday	
	L _{Aeq} (15 minute) (dB(A))	L _{Aeq} (15 minute) (dB(A))	L _{Aeq} (15 minute) (dB(A))	L _{Aeq} (15 minute) (dB(A))	L _{A1} (1 minute) (dB(A))
Any residences in Station Street	39	44	44	39	53
Any Residences in Crawford Road	40	40	39	39	53
Any residences in Mavis Street	35	35	35	35	53
Nurragey Reserve	When the Reserve is in use – L _{Aeq} 50 dB(A)				
Colebee Centre	When the Centre is in use – L _{Aeq} 50 dB(A)				
Blacktown Olympic Park (active recreation areas)	When active recreational areas of the Park are in use – L _{Aeq} 55 dB(A)				

2.4	<p>For the purpose of assessment of noise contributions specified under condition 2.3 of this approval, noise from the project must be</p> <p>a) measured at the most affected point on or within the residential boundary, or at the most affected point within 30 metres of the dwelling (where the dwelling is more than 30 metres from the boundary) to determine compliance with LAeq(15 minute) noise limits; or b) measured at 1 metre from the dwelling façade to determine compliance with LA1(1 minute) noise limits.</p>	<p>Reviewed results of Quarterly Noise Monitoring Assessments prepared by Muller Acoustic Consulting (MAC) provided for the audit period (Q4 2017 - Q1 2021).</p> <p>2020 Annual Review (prepared for 1 July 2018 - 31 December 2020)</p>	Noise measurements are taken from approved locations identified by acoustic specialists, and they are undertaken by acoustic specialists (MAC).	Compliant
2.5	<p>Notwithstanding condition 2.4 of this approval, should direct measurement of noise from the project be impractical, the Proponent may employ an alternative noise assessment method deemed acceptable by the EPA (refer to Section 11 of the EPA Industrial Noise Policy). Details of such an alternative noise assessment method accepted by the EPA must be submitted to the Secretary prior to the implementation of the assessment method. Section 4 of the Industrial Noise Policy must also apply to the measured noise levels, where applicable.</p>	<p>Reviewed results of Quarterly Noise Monitoring Assessments prepared by Muller Acoustic Consulting (MAC) provided for the audit period (Q4 2017 - Q1 2021).</p> <p>2020 Annual Review (prepared for 1 July 2018 - 31 December 2020)</p>	Noise measurements are taken from approved locations identified by acoustic specialists, and they are undertaken by acoustic specialists (MAC).	Compliant
2.6	<p>Noise emission limits specified under condition 2.3 apply under the following meteorological conditions:</p> <p>a) wind speed up to 2ms-1 at 10 metres above ground level; or b) temperature inversion conditions of up to 3°C/100m and wind speed up to 2ms-1 at 10 metres above the ground.</p>			Note
2.7	<p>Operational Noise Management Protocol</p> <p>Prior to the commencement of operations at the site, the Proponent must prepare and implement an Operational Noise Management Protocol for the project. The Protocol must include, but not necessarily be limited to:</p> <p>a) a principal requirement to satisfy the limits specified in condition 2.3 of this approval at all times, including to the extent that is reasonable and practical, acoustic considerations in the detailed design of the project; b) a system that allows for periodic assessment and reasonable implementation of Best Management Practice (BMP) and Best Available Technology Economically Achievable (BATEA) to minimise noise impacts over the life of the proposal; c) a system of regular auditing to ensure the effective implementation and maintenance of mitigation measures required to achieve the noise limits specified in condition 2.3 of this approval. Acoustic auditing must be conducted by an appropriate and recognised acoustic engineer, who is independent of, or not associated with, any organisation that has been involved with the acoustic assessment of the application (the subject of this approval), or involved in any supervision or designs associated with the construction of the project.</p>	<p>RHDC Operational Environmental Management Plan (OEMP), Section 4.2.2 Noise Management Plan (NMP) includes the Operational Noise Management Protocol. Section 6.3 includes audit requirements.</p>	<p>Section 4.2.2 of the OEMP satisfies (a) and (b) of this condition.</p> <p>The audit program is included within Section 6.3 of the OEMP, including 1) internal audits, undertaken by Holcim and measured against national standards, and 2) external audits, undertaken as directed by the conditions of approval/Secretary.</p> <p>Section 6.3.2 external audits notes that an independent external noise audit was undertaken in 2016 (by Golders Associates) as per Condition 3.3, and that Holcim will continue to review noise management on an annual basis in conjunction with annual noise monitoring.</p>	Compliant
2.7	<p>The Protocol must be incorporated into the Operational Environmental Management Plan, required under condition 5.4 and condition 5.5 of this approval. The results of any assessment and auditing under the Protocol must be reported in the Annual Review (refer to condition 6.3 of this approval).</p>	<p>OEMP, Section 4.2.2 Noise Management Plan (NMP) includes the Operational Noise Management Protocol</p> <p>2020 Annual Review (prepared for 1 July 2018 - 31 December 2020)</p>	Assessment results are provided in the Annual Review prepared during the audit period.	Compliant
2.7	<p>A copy of the Protocol must be submitted to EPA and the Secretary prior to the commencement of operations at the site.</p>	<p>Evidence sighted during Holcim's IEA 2017, including a letter (17 August 2015) reference Howard Reed, advising of approval for the OEMP and the commencement of operations.</p>		Compliant

2.8	<p>The Proponent must design, construct, commission, operate and maintain the project in a manner that minimises dust emissions from the site, as specified in paragraph of the final Statement of Commitments submitted by the Proponent to the Department on 17 March 2006, including:</p> <p>a) all dust control systems for transfer, load out and unloading points, as well as materials handling activities must be designed and operated to comply with a solid particles emission limit of 20 mgm-3 as required by Part 4 of the Protection of the Environment (Clean Air) Regulation 2002;</p> <p>b) all storage bins must be enclosed;</p> <p>c) water spray systems must be installed to service all stockpiles;</p> <p>d) all paved trafficable areas must be swept as required by a permanently stationed street sweeper to minimise dust.</p> <p>e) the application of Best Management Practice (BMP) and Best Available Technology Economically Achievable (BATEA), where reasonable and practicable, to minimise dust impacts during construction and operation of the project.</p>	<p>Site observations.</p>	<p>Site visit observations:</p> <p>(a) dust control systems in place, including rail unloading building and dust monitoring stations;</p> <p>(b) storage bins are not enclosed as identified and discussed in Condition 1.1;</p> <p>(c) water spray system operating over stockpiles;</p> <p>(d) street sweeper stationary during visit but trafficable areas generally free of loose material; and</p> <p>(e) regular operation of water cart for dust suppression and systems for 3% water addition to incoming raw materials observed.</p> <p>Recommendation: See Condition 1.1 (as relevnat to bin enclosure).</p>	Non-compliant																		
2.8A	<p>The Proponent must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 2 at any residence on privately-owned land.</p> <p>Table 2: Air quality criteria</p> <table><tr><th>Pollutant</th><th>Averaging Period</th><th>Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>Annual</td><td>^{a,d}25 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>24 hour</td><td>^{b,d}50 µg/m³</td></tr><tr><td>Particulate matter < 2.5 µm (PM_{2.5})</td><td>Annual</td><td>^{a,d}8 µg/m³</td></tr><tr><td>Particulate matter < 2.5 µm (PM_{2.5})</td><td>24 hour</td><td>^{b,d}25 µg/m³</td></tr><tr><td>Total suspended particulates (TSP)</td><td>Annual</td><td>^{a,d}90 µg/m³</td></tr></table> <p><i>Note:</i> "Reasonable and feasible avoidance measures" includes, but is not limited to, the operational requirements in conditions 2.8, 3.1(b) and 5.3(d) to develop and implement an air quality management system that ensures operational responses to the risks of exceedance of the criteria.</p> <p><i>Notes to Table 3:</i> ^a Cumulative impact (ie increase in concentrations due to the development plus background concentrations due to all other sources). ^b Incremental impact (ie increase in concentrations due to the development alone, with zero allowable exceedances of the criteria over the life of the development). ^c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3590.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method. ^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary.</p>	Pollutant	Averaging Period	Criterion	Particulate matter < 10 µm (PM ₁₀)	Annual	^{a,d} 25 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	24 hour	^{b,d} 50 µg/m ³	Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a,d} 8 µg/m ³	Particulate matter < 2.5 µm (PM _{2.5})	24 hour	^{b,d} 25 µg/m ³	Total suspended particulates (TSP)	Annual	^{a,d} 90 µg/m ³	<p>INX register.</p> <p>No complaints.</p> <p>DPIE correspondence dated 28 August 2021 regarding RHDC (LEC No 10406 of 2006) .</p> <p>2020 Annual Review (prepared for 1 July 2018 - 31 December 2020).</p>	<p>Holcim operate two HVAS PM10 monitors for the site, which are shown in site photographs of the RHDC IEA 2021 report.</p> <p>The available monitoring reports did not cover the entire audit period (December 2017 - July 2018 and December 2020 to present). However, July 2018 - December 2020 were reported in the 2020 Annual Review.</p> <p>Air quality parameters were exceeded on a few occasions within the audit period:</p> <ul style="list-style-type: none">• 3 and 9 April 2018 as recorded in the INX register.• PM10 criteria was exceeded at HVAS 1 on six occasions in 2020, as per the correspondence with DPIE dated 23 August 2021.• DPIE noted that several air quality sampling events in 2019 were missed.• 2020 Annual Review notes that in 2019, the annual average PM10 at HVAS 1 was greater than the Project Approval criteria, and reported a non-compliance with this condition.• A few incidents of excessive dust were recorded in the INX register (6 September 2019, 17 October 2019), however no air quality or dust complaints were received during the audit period. <p>Recommendations: Continue with best practice dust and air quality management on-site, and look into options to enclose product bin storage areas as conceptualised in the initial RHDC design. Refer to Condition 1.1 for further details.</p>	Non-compliant
Pollutant	Averaging Period	Criterion																				
Particulate matter < 10 µm (PM ₁₀)	Annual	^{a,d} 25 µg/m ³																				
Particulate matter < 10 µm (PM ₁₀)	24 hour	^{b,d} 50 µg/m ³																				
Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a,d} 8 µg/m ³																				
Particulate matter < 2.5 µm (PM _{2.5})	24 hour	^{b,d} 25 µg/m ³																				
Total suspended particulates (TSP)	Annual	^{a,d} 90 µg/m ³																				
2.9	All trafficable areas and vehicle maneuvering areas on the site must be maintained in a condition that will minimise the generation or emission of wind blown or traffic generated dust from the site at all times.	Site observation.	All trafficable and maneuverable areas are sealed, including recent bitumen sealing of storage/stockpile area at rear of the CBP. Trafficable areas are watered and cleaned regularly (timed system - eg water cart every 30 minutes). Wheel wash was observed to be operational.	Compliant																		
2.10	Heavy vehicles entering and leaving the site that are carrying loads must be covered at all times, except during loading and unloading activities.	Site observation.	Trucks (laden) are open until weighbridge and, after inspection at weighbridge, are covered before leaving the site. Generally truck covers are automated.	Compliant																		
2.11	<p>Traffic and transport</p> <p>Internal Roads and Parking</p> <p>The Proponent must take reasonable measures to ensure that heavy vehicles accessing the site must not queue within the adjacent local road network.</p>	Site observation.	No queue of trucks observed at approach roads to the site.	Compliant																		
2.12	The Proponent must take reasonable measures to ensure that vehicles used for the construction and/or operation of the project must not park on local roads in the vicinity of the project at any time.	Site observation.	No parking of trucks observed at approach roads to the site.	Compliant																		

2.13	The Proponent must design and construct all internal roads, including associated loading bays, car parking facilities, driveways, ramp grades, turn paths, sight distances and aisle widths, in accordance with relevant RMS and Council codes, including AS 2890.1 – 2004 and AS 2890.2 – 2002.	Evidence verified during 2018 IEA - Sighted, Mott McDonald certified design drawings (15/10/12), all construction undertaken generally in accordance with the approved design drawings. Construction Certificate C.C. No: 20190116 issued by Essential Certifiers on 08/11/2018 for the construction of the concrete batching plant.	RHDC IEA 2018 verified compliance for the RHDC site. Construction Certificate was issued for the permanent CBP.	Compliant
2.14	The Proponent must clearly mark all visitor, disabled, ambulance and service vehicle parking areas.	Site observations.	Parking lines, including disabled access, verified at site visit.	Compliant
2.15	Train Operations The Proponent must seek approval from Rail Corporation New South Wales for the allocation of freight train paths into and out of the site from the Main Western Line.	Evidence verified during 2018 IEA - Email correspondence from Pacific National (Peter Lew) dated 25 June 2014 providing approval for freight rail paths.		Compliant
2.16	Access The Proponent must negotiate with the owner of the OneSteel site to use that land for access to the southern sections of the project site for the construction of the Angus Creek road bridge. Should the Proponent and the owner of the OneSteel site be unable, after reasonable attempts, to negotiate for access through that site, the Proponent may seek the Secretary's agreement to access the project site via the Knox Road/Nurragingy Reserve access point. In seeking the Secretary's agreement, the Proponent must demonstrate to the Secretary's satisfaction that it has applied all reasonable endeavours to negotiate an outcome that avoids the use of the Knox Road/Nurragingy Reserve access point. Note: The environmental impacts associated with the use of both access points have been assessed and are considered to be acceptable in both cases. However, the use of the OneSteel site for construction access is considered to pose reduced residual environmental impacts, and is therefore the preferred outcome. If the Knox Road/ Nurragingy Reserve access is utilised, residual environmental and public safety impacts must be comprehensively managed, as required under the conditions of this consent.		Access from One steel site was not able to be negotiated. Regardless the access from the Knox Road/Nurragingy Reserve was not required for construction purposes. This condition is no longer relevant.	Not triggered
2.17	In the event that the Secretary agrees under condition 2.16 to site access for the construction of the project via the Knox Road/ Nurragingy Reserve access point, the Proponent must limit vehicles using that access point to 40 vehicle movements per day (20 round trips per day) until the completion of the Angus Creek road bridge. Once the road bridge has been constructed, access to the site during construction must be restricted to via Kellogg Road.		See Condition 2.16.	Not triggered

2.18	<p>In the event that the Secretary agrees under condition 2.16 to site access for the construction of the project via the Knox Road/ Nurragingy Reserve access point, the Proponent must develop, in consultation with Council, a Construction Access Management Program to comprehensively mitigate and manage impacts associated with construction access via Knox Road/ Nurragingy Reserve. The Program must include, but necessarily be limited to:</p> <p>a) scheduling of vehicle movements to avoid peak public usage times within the Reserve; b) vehicle access, speed, route and maneuvering requirements to apply to traffic passing through the Reserve to ensure public safety, minimisation of dust generation, minimisation of traffic noise impacts and the protection of flora and fauna; c) arrangements for surveys of existing road infrastructure standards within Knox Road/Nurragingy Reserve before and after use of the infrastructure for site access; d) arrangements for funding and implementation of ameliorative works should surveys of road infrastructure indicate a deterioration in the standard of the infrastructure as a result of construction vehicle access; e) consideration of pavement strengthening/ repairs of the access route and the structural stability of the causeway over Eastern Creek, prior to use; f) consideration of widening and/or appropriate traffic management to ensure safe passing opportunities; and g) the cost of the works required as part of the Program to be borne by the Proponent.</p>		See Condition 2.16.	Not triggered
2.18	The Proponent must submit the Program to the Secretary for approval prior to the use of the Knox Road/ Nurragingy Reserve access point.			Not triggered
2.19	Access to the site during operation of the project must be via Kellogg Road and Woodstock Avenue. Access to the site via North Parade must be for maintenance purposes or emergency access only.	Site observations.	Confirmed access during site visit.	Compliant
2.20	<p>Road improvements</p> <p>Prior to the commencement of operations of the project, the Proponent must upgrade the intersection of Kellogg Road and Woodstock Avenue by constructing a one-lane roundabout capable of accommodating B-double vehicles, or by installing traffic signals, in accordance with the relevant standards. The Proponent must carry out and pay 100% of the cost of the design and construction works for the roundabout (or traffic signalisation) and, if any, the full cost of any land acquisition necessary in order to carry out the works.</p>	Evidence verified during 2018 IEA - Letter from Blacktown City Council (construction contractor) (14 November 2013), reference Nadeem Shaikh, confirming agreement for the full payment of the works for the Kellogg Road upgrade and the Power Street/Glendenning Road roundabout.	Project is in operations phase, therefore this condition is no longer relevant.	Compliant

2.20A	<p>Subject to condition 2.20, prior to commencement of construction of the project, the Proponent must develop, in consultation with Council and RMS a schedule for the implementation of road upgrades necessary for the implementation of the project, as specified under this approval and the EAR and as amended by the conditions of this approval. The schedule must include but not necessarily be limited to:</p> <p>a) timing and coordination of the road works recommended in section 7.10 of the EAR for the project, having regard to the timing for implementation of the project, coordination of all road works to minimise conflict with other road users;</p> <p>b) provision for the finalisation of detailed design of road works, in consultation with Council and the RMS, and in accordance with relevant design guides and criteria specified by those parties;</p> <p>c) design of operational access routes to the site to cater for B-Double vehicles where appropriate and in accordance with RTA Road Design Guide and the AUSTRROADS Pavement Design Guide;</p> <p>d) arrangements for the funding of road works by or on behalf of the Proponent, fully reflecting the percentage of heavy road traffic contributed by the project to site access routes; and</p> <p>e) with respect to Kellogg Road:</p> <p>i) an independent assessment of the condition of the pavement and the pavement life for the travel lanes in Kellogg Road must be undertaken by a road pavement specialist;</p> <p>ii) the required pavement works and cost to upgrade the road pavement for the current traffic volumes using over lanes in Kellogg Road over the design life (typically 20 years) must be determined;</p> <p>iii) the required pavement works and cost to upgrade the road pavement for the current traffic volumes plus traffic generated by the project using travel lanes over the design life (typically 20 years or the same design life as adopted for (ii)) must be determined; and</p>	<p>Evidence verified during 2018 IEA - Correspondence from Blacktown City Council (28 July 2011) that this condition has been satisfied.</p> <p>Receipt provided from Blacktown City Council (22 April 2015) for the amount of \$273,082.00 being the works and maintenance contribution for Kellogg Road.</p>	Project is in operations phase, therefore this condition is no longer relevant.	Compliant
2.20A	<p>In the event of any dispute with respect to the scope or content of the schedule for implementation of road upgrades, relocations and replacements, or the detailed design of the road works, the dispute must be referred to the Secretary, whose determination of the dispute must be final and binding on all parties.</p>	As above	Project is in operations phase, therefore this condition is no longer relevant.	Not triggered
2.21	<p>Transport Noise Management Strategy</p> <p>Prior to the commencement of operations, the Proponent must prepare and implement a Traffic Noise Management Strategy for the project. The Strategy must be designed to ensure best practice noise management strategies for vehicle movements associated with the project to minimise noise generated by heavy vehicles movements. The Strategy must include, but not necessarily be limited to, the following:</p> <p>a) measures to ensure that the commitments for minimising/managing traffic noise as identified in the EAR and supporting information submitted to the Department for the project are effectively implemented. This must include the incorporation of these requirements in contractual agreements made by the Proponent;</p> <p>b) a program of driver training to ensure that drivers are aware of route restrictions applicable to the project and to ensure that noisy vehicle practices are not undertaken during approach or departure from the site, including the restriction/prohibition on the use of compression engine brakes;</p>	OEMP 2021.	The OEMP includes a Traffic Management Plan (TMP) as part of Section 3.3 of the OEMP, that describes measures addressing points a-g of this condition.	Compliant
2.21	<p>c) a scheme of fleet selection and maintenance that reflects best noise practice/technology as far as practicable;</p> <p>d) measures to ensure the flexible scheduling of movements to reduce impacts on residential areas during sensitive times of the day and night;</p> <p>e) communication and management strategies for heavy vehicles associated with the project (including those not owned by the Proponent) to ensure the requirements of the Strategy are met;</p> <p>f) a community consultation program, including a complaints line for the community to report movements that do not abide by the Strategy (refer to condition 4.2 and condition 4.4 of this approval);</p> <p>g) the incorporation of an audit and monitoring program for the Strategy to determine compliance with the Strategy by heavy vehicles associated with the project and to evaluate the effectiveness of strategy in minimising traffic noise (refer to condition 3.1i) of this approval).</p>	OEMP 2021.	The OEMP includes a Traffic aManagement Plan (TMP) as part of Section 3.3 of the OEMP, that describes measures addressing points a-g of this condition.	Compliant

2.21	The Proponent must not commence operations until the Secretary has approved the Traffic Noise Management Strategy. The Strategy must be incorporated into the Operational Environmental Management Plan for the project (refer to condition 5.4 and condition 5.5 of this approval). The Proponent must implement the management strategy as approved from time to time by the Secretary.	OEMP 2021. RFI response provided on 29 October 2021.	Holcim's representative S. Shashi has advised that the latest OEMP 2021 is currently under review with DPIE.	Compliant
2.21A	The number of on-site and truck parking spaces to be provided for the project must be in accordance with sections 5.4.3, 5.4.4 and 5.4.6 of the EAR as follows: a) truck parking: 50 spaces (truck and dog configuration); b) car parking: a total of 310 spaces on the project site and Humes site, as follows: i) project site: 121 spaces ii) Regional office and laboratory: 189 spaces, of which 84 are to be allocated to the project site staff and visitors and 105 are to be allocated to the staff and visitors to the existing Humes site; c) all car parking spaces must be marked/signposted in accordance with the above allocations. All visitor spaces must be located conveniently in relation to the various administrative offices on the site and must be clearly marked and signposted. d) all car and truck parking spaces must be sealed in a hardstanding material and drained in accordance with the approved stormwater management plan for the project; e) the design and dimensions of all truck and car parking spaces, together with all associated roads and maneuvering areas, must be in accordance with AS2890.2 (2002); f) a detailed car and truck parking plan, at a scale of 1:200, and incorporating the above requirements, must be submitted for the approval of the Secretary prior to the commencement of any works.	Site observations.	This condition has not been met at this stage, as construction of all approved components (eg laboratory) had not been completed on the date of the site audit on 17 November 2021. The status on the date of the site audit was: <ul style="list-style-type: none"> there are approximately 14 delineated truck (and dog) parking spaces currently; there are approximately 38 delineated car parking spaces provided adjacent the site office/administration (including 2 disabled); all parking areas sealed and drained to the site stormwater system; truck and vehicle turning and maneuvering areas appear to be constructed in accordance with the AS2890.2 (2002). Based on staff numbers and site observations, there are adequate light vehicles spaces on the site currently. It is understood that Holcim do not propose to develop the Regional office and laboratory site. Therefore the 189 spaces will not be required. Recommendation: The Project Approval should be modified to reflect the number of required parking sites in the absence of a laboratory facility being constructed on site.	Non-compliant
2.22	Flora and Fauna The Proponent must minimise any clearing of vegetation in carrying out of the project, consistent with a Vegetation Management Plan developed to the satisfaction of the DPI Water and OEH under condition 2.24 of this approval.	Site observations. RHDC Vegetation Management Plan (RHDC VMP) (SKN 2011).	Site observations indicate that there was no evidence of any vegetation clearing: fauna was observed - a deer, blue tongued lizard and avifauna. Vegetation clearing activities were not required for the purpose of constructing the CBP. This accords with previous observations of the area. Site audit observations confirmed vegetation clearing has not progressed in areas not designated and area in accordance with the Vegetation Management Plan (August 2011, SKN Final version 0).	Compliant
2.23	Prior to the commencement of any earthworks or vegetation clearing at the site, vegetation to be protected is to be fenced off with clearly visible, durable, and appropriately signposted exclusion fencing in accordance with any specific requirements identified in the Vegetation Management Plan prepared under condition 2.24.	Site observations.	Areas of vegetation restoration look healthy and exclusion fencing in place to protect plantings.	Compliant
2.24	Prior to the commencement of any construction activities, the Proponent must prepare and implement to the satisfaction of the DPI Water and OEH, a Vegetation Management Plan in accordance with the NOW's guidelines How to Prepare a Vegetation Management Plan – Version 4 and Watercourse and Riparian Zone Rehabilitation Requirements as well as OEH Recovering Bushland on the Cumberland Plain. The Plan must include drawings that clearly show vegetation to be retained/removed, plant material to be used for rehabilitation, densities and species mix for areas to be rehabilitated, establishment methods, sequencing of tasks, maintenance and performance monitoring. Site rehabilitation and maintenance is to be carried out in accordance with the Plan, and the DPI Water is to be advised of the person responsible for any seed or vegetative propagation prior to the commencement of that propagation. The proponent must implement the management plan as approved from time to time by the Secretary.	RHDC VMP (SKN 2011)	The RHDC VMP and the OEMP address the criteria in terms of vegetation to be retained/removed, plant material to be used for rehabilitation, densities and species mix for areas to be rehabilitated, establishment methods, sequencing of tasks, maintenance and performance monitoring, as well as vegetation propagation.	Compliant

2.25	All rehabilitated and revegetated areas of the site must be maintained and monitored for a period of at least five years after final planting, or where other revegetation methods are used, five years from when plants are of tube stock size and are at the densities specified in the Vegetation Management Plan. Maintenance must include sediment and erosion control, watering, weed control, replacement of plant losses, disease and insect control, protection from any mowing or slashing on adjacent land, mulching and any other requirements necessary for achieving successful vegetation establishment.	RHDC VMP (SKN 2011). Toolijooa Environmental Restoration Holcim Australia - THDC - Bushland Regeneration Report 2018 - 2020. Toolijooa Monthly Report November 2017. Site observations.	Planting is ongoing and is being monitored. Site observations confirmed that rehabilitation areas are continuing to grow and plantings are maturing. Sediment and erosion control devices observed to be installed (eg sediment capture fencing).	Compliant
2.26	Immediately after completion of initial planting/seeding and every year thereafter for the duration of the maintenance period the Proponent must submit to the Department a monitoring report addressing the performance criteria as specified in the Vegetation Management Plan, and comment on the stability and condition of any stream works. With each monitoring report, the person responsible for implementing the Vegetation Management Plan must certify in writing that plantings (including follow-up plantings) have been carried out using stock propagated from seed or plant material collected only from native plants from the local botanical provenance.		There is no evidence that any of the monitoring reports were submitted to the DPIE as per the requirement of this condition.	Non-compliant
2.27	Compensatory Habitat Package Prior to the commencement of any part of the construction works that will result in the removal of the endangered ecological communities of the Cumberland Plain Woodland a compensatory habitat package must be established in consultation with the OEH. The package must include one or more of the following compensatory measures: a) provision of no less than 3 hectares of compensatory habitat comprising of Cumberland Plain Woodland, whether new or restored, for every 1 hectare of "Core Habitat" or "Support to Core" habitat impacted; or b) equivalent financial contribution to a rehabilitation project in the Blacktown local government area; or c) any other form of compensatory habitat agreed by the OEH. In the event of any dispute with respect to the scope or content of the compensatory habitat package, the dispute must be referred to the Secretary, whose determination of the dispute must be final and binding on all parties.	Evidence verified during RHDC IEA 2018t: Letter from Western Sydney Parklands Trust (5 July 2011), reference Yoland Gil, advising acceptance of \$277,350.00 as a compensatory habitat package.	The project is currently in the operations phase, and thus this condition is no longer relevant. The CBP was constructed in the place of the temporary/mobile CBP and thus vegetation clearing was not required. Not triggered during this audit period.	Not triggered
2.28	Nothing in this approval precludes the inclusion of on-site rehabilitation works referred to under conditions 2.24 to 2.26 , in consultation with the OEH, from inclusion as part of the compensatory habitat package required under condition 2.27.	Evidence verified during RHDO IEA 2018 - Letter from Western Sydney Parklands Trust (5 July 2011).		Not triggered
2.28A	Aquatic Ecology The Proponent must monitor aquatic ecology in Angus and Eastern Creeks as outlined in the Statement of Commitments, and must expand this monitoring program to: a) ensure that baseline data is collected, including the commencement of sampling not less than six months before commencement of construction and the use of control sites; b) include monitoring of water quality and aquatic ecology at four locations within Nurragingy Reserve; c) not include the site sampled on Eastern Creek ("E01" - in Technical Report 4 of the EAR) as a monitoring site, but use of at least two other locations; and d) make provision for monitoring in relation to wet and dry periods.	Aquatic ecology monitoring by Niche Environment and Heritage (Niche) including quarterly visual monitoring, and bi-annual aquatic survey and reporting, including a number of randomly selected reports from 2018, 2019, 2020 and 2021 (Aquatic ecology monitoring by Niche).	As per this condition, RHDC conduct a surface water and aquatic ecology monitoring program in Angus Creek and Eastern Creek which also includes monitoring locations in Nurragingy Reserve. Water quality monitoring and visual assessments for habitat and vegetation are required to occur as per the monitoring program.	Compliant

2.29	<p>Surface Water Except as may be expressly provided by an Environment Protection Licence for the project, the Proponent must comply with section 120 of the Protection of the Environment Operations Act 1997, which prohibits the pollution of waters.</p>	<p>Site observations.</p> <p>Annual Review 2020.</p> <p>Aquatic ecology monitoring by Niche.</p>	<p>Site visit observations confirmed that settlement pond wetlands, gabion riffle beds and sediment capture devices are all installed. Angus Creek was flowing.</p> <p>Long-term trends reported in the Annual Review 2020 note that "turbidity and dissolved oxygen were the only parameters that did not regularly meet the site-specific RHDC Water Quality Triggers for Dry Weather and ANZECC DTLs. This is an improvement from the results in the 2015-2016 Annual Review period which indicated turbidity, dissolved oxygen, total nitrogen and total phosphorous were consistently above the site trigger values. pH has continued to approach neutral since the beginning of 2017."</p> <p>Aquatic ecology monitoring report by Niche (2021) noted "All sites showed an increase in electric conductivity this season compared to the previous monitoring with all sites but one (AE4) being above the ANZECC DTVs. Of note high EC was recorded in the upstream sites indicating that there are upstream influences that are causing these elevated concentrations.....etc"</p> <p>The EPA register of penalty notices does not list any offences pursuant to POEO Act s 120 recorded regarding this site.</p> <p>Recommendation: RHDC to investigate the cause of increase in electric conductivity.</p>	Compliant
2.30	<p>The Proponent must ensure that all proposed works within, or connected to Angus Creek are designed, constructed, operated and maintained in compliance with the DPI Water's Draft Guidelines – Watercourse Crossing Design & Construction and NSW Fisheries' Why do Fish Need to Cross the Road? – Fish Passage Requirements for Waterway Crossings (2004) and Policy and Guidelines for Fish Friendly Waterway Crossings (2004).</p>		<p>It is understood that no works took place directly within or connected to Angus Creek during the audit period.</p>	Not triggered
2.31	<p>The Proponent must generally design, construct and maintain all stormwater management infrastructure on the site having regard to:</p> <p>a) restriction of future stormwater flows from the site to existing flow levels or better and utilizing Council's On-Site Stormwater Detention Policy dated February 2005 as a guide; b) management all stormwater to minimise the discharge of sediments and other pollutants from the site. This must include the use of gross pollutant traps to screen captured stormwater prior to discharge; c) Landcom's Managing Urban Stormwater: Soils and Construction, 4th edition, March 2004 and Managing Urban Stormwater Soils and Construction: Volume 2D Main Road Construction; d) compliance with the relevant provisions in the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems 1994; e) prevention the drainage of stormwater onto neighbouring properties and adjoining roadways; f) prevention of overloading Council's stormwater infrastructure by site discharges during heavy rainfall events; g) Council's Stormwater Quality Control Policy dated 1 June 2005; h) from the date of approval of MOD 2, Part J of the Blacktown Development Control Panel (2015), titled Water Sensitive Urban Design and Integrated Water Cycle Management (in place of the documents listed in paragraph g) above); and i) current water-sensitive design best-practice guidelines, such as Sensitive Urban Design Technical Guidelines for Western Sydney (Upper Parramatta River Catchment Trust) dated May 2004.</p>	<p>Evidence verified during IEA 2018 - Design report prepared by KBR (1 June 2015) provided to Blacktown City Council. Sighted, email from Blacktown City Council (2 November 2015), reference David Mutton confirmed documents received and in accordance with design requirements.</p> <p>Construction Certificate C.C. No: 20190116 issued by Essential Certifiers on 08/11/2018 for the construction of the concrete batching plant.</p> <p>Site observations.</p>	<p>The stormwater management infrastructure on the site appeared to be well maintained.</p> <p>Angus Creek observed to be flowing and riparian zone generally good condition (although some invasive weed species present).</p>	Compliant
2.31	<p>Prior to the commencement of construction of the project, the Proponent must submit the Secretary, certification from a qualified, independent civil engineer that the stormwater management systems for the site have been designed generally in accordance with the above requirements, or equivalent outcomes as may be endorsed by the independent civil engineer and agreed by the Secretary.</p>	<p>Evidence verified during IEA 2018 - Letter from Department of Planning and Infrastructure (6 October 2011), advising approval of works for Stage 1 construction activities which included stormwater management.</p>	<p>The project is currently in operations phase, and thus this condition is out of scope. Evidence was verified previously.</p>	Compliant

2.32	The Proponent must obtain Rail Corporation New South Wales endorsement for any on site drainage works to ensure that the project does not result in the flooding of the Main West Railway Line.	Evidence verified during IEA 2018 - Sighted RailCorp Rooty Hill - Holcim Siding Project - comments register, confirming concept design and detailed design elements for drainage and flooding endorsed by Rail Corporation of NSW.		Compliant
2.32A	All stormwater management measures location within the 1% AEP extent of inundation must be designed and constructed to have minimal impact on the 1% AEP flood regime.	Evidence verified during IEA 2018 - Sighted KBR flood study review (Holcim Rooty Hill Sidings - Angus Creek Flood Study - 23 March 2012). Site audit and aerial photography confirmed location.		Compliant
2.33	Visual Amenity Impacts The Proponent must ensure that all external lighting associated with the project is mounted, screened, and directed in such a manner so as not to create a nuisance to the surrounding environment, properties and roadway. The lighting must be the minimum level of illumination necessary and must comply with AS 4282(INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting.	Site observations. Complaints register.	Site visit occurred during daylight hours so lights were not on, however all lighting appears to be directed to the work area only and unlikely to cause light spill nuisance. No complaints regarding lighting have been received an there is no reason to believe that the lighting does not comply with this standard.	Compliant
2.34	Prior to the commencement of site preparation activities associated with the project, the Proponent must submit for the approval of the Secretary, a detailed Landscape Plan for the whole of the project (including the proposed administrative building) prepared by a qualified landscape architect, and consistent with the Landscape Master Plan detailed in the EAR, as amended by any requirement specified elsewhere in this approval. The Plan must include (provided it is consistent with and not in derogation of the Vegetation Management Plan in condition 2.24) the following: a) species that are predominantly endemic to the locality (that is from the River-Flat Eucalypt Forest and Cumberland Plain Woodland communities) and including details of, but not limited to, the number and type of species, the pot sizes, details of mulching, and staking; b) planting to visually screen the project as far as practicable when viewed from nearby residential properties and public areas. Particular attention must be given to screening the project, where practicable, from lines of site towards the Nurragingy Reserve and Blacktown Olympic Park; and c) the setback to the road frontages (of at least 7.1 metres) must be comprehensively landscaped.	Evidence verified during IEA 2018 - Letter from the Department of Planning and Infrastructure (29 September 2011), providing approval for the Landscape Management Plan.	The project is currently in operations phase, and thus this condition is out of scope. Evidence was verified previously.	Compliant
2.34	The Proponent must maintain the above mentioned landscaping works in a healthy and tidy state throughout the life of the project.	Site observations.	Site observations indicate that all landscaping areas well established and healthy.	Compliant
2.35	This approval does not permit the display of any advertisement, or the erection of any advertising structure, on the site. This condition does not apply for any advertisement or structure that cannot be seen from the nearest public space, or any signage specified elsewhere in this approval.	Site observations.	No advertising structures observed on site.	Compliant
2.36	Waste The Proponent must not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing or disposal or any waste generated by the project to be disposed of at the site, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997.	Environmental representatives evidence provided via email on 15 September 2021 Randomly selected receipts for concrete waste taken off site, from 2021 (Ryan Plant Hire) Site observations.	Environmental representatives for the site explained that the RHDC has 1 skip bin that is emptied 1-2 times per month. The bin measures 3 x 3 m and is a general bin for office compound waste (offices/ kitchens/ bathrooms). The CBP has concrete plant waste and a skip bin. Concrete waste is removed from the CBP area by a licensed contractor (Ryan Plant Hire). Interviews and site observations confirmed that no waste is being imported to the site.	Compliant
2.36	Note: The above condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the Protection of the Environment Operations Act 1997.		Refer to response for Condition 2.36	Note

2.37	Heritage Should any Aboriginal relics be uncovered during any of the construction activities, all construction work in the vicinity of the relic must cease and the Proponent must contact OEH and the Local Aboriginal Land Council as soon as practicable. The proponent must meet the requirements of the OEH with respect to the treatment, management and/or preservation of any such relic.			Not triggered
2.38	Dangerous Goods All chemicals, fuels and oils must be stored in appropriately bunded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund. The bund(s) must be designed and installed in accordance the requirements of the EPA's Environmental Protection Manual Technical Bulletin Bunding and Spill Management.	Site observations.	Fuel storage and chemical storage in the main facility, the CBP and in the workshop all compliant with the requirement for storage in bunded areas.	Compliant
2.39	Fire Safety The Proponent must ensure that all operations and activities occurring at the site are carried out in a manner that prevents and/or minimises the risk of fire.	Site observations. Incident Report 12 August 2019 (reported fire at RHDC).	Fire systems noted to be operational, and fire safety equipment (eg extinguishers) in place. A targeted arson attack was reported at RHDC in the early hours of the morning (0:35am). where a some concrete agitators were set ablaze. The incident was immediately reported to the Site Manager, Fire Brigade and the Police, and subsequently to DPIE and the EPA. Investigations have since taken place.	Compliant
2.40	The Proponent must provide appropriate fire-fighting equipment at the site, and must ensure appropriate volumes of emergency supplies of water (for fire fighting purposes), is provided at the site at all times during operations to ensure an appropriate response to any fire event.	Site observations.	Fire systems noted to be operational, and fire safety equipment (eg extinguishers) in place.	Compliant
3. ENVIRONMENTAL MONITORING AND AUDITING				
3.1	Operational Monitoring Plan Prior to the commencement of operation of the project, the Proponent must prepare and implement an Operational Monitoring Plan for activities associated with the project. The Monitoring Plan must include, but not be necessarily be limited to, the following components:	OEMP 2021.	Operational monitoring is incorporated into the OEMP 2021.	Compliant
3.1	a) a Noise Monitoring Program . The program must monitor noise levels during operational activities. The Monitoring Plan must include, but not be necessarily be limited to, the following components: i) identification of noise monitoring locations; ii) scheduling of noise monitoring, with reference to day, evening and night-time periods; iii) provisions and procedures for determining LAeq(15 minute), LA90(15 minute) and LA1(1 minute) noise levels; and iv) review and assessment mechanisms to establish and address noise impacts on residential receptors. v) such monitoring must be undertaken by an appropriate and recognised acoustic engineer, who is independent of, or not associated with, any organisation that has been involved with the acoustic assessment of the application (the subject of this approval), or involved in any supervision or designs associated with the construction of the project.	OEMP 2019 includes a Noise Monitoring Program (Section 5.1.1). Quarterly Noise Monitoring Assessments prepared by Muller Acoustic Consulting (MAC) provided for the audit period (Q4 2017 - Q1 2021).	The Noise Monitoring Program describes measures addressing this criterion requirements (points i - v). Quarterly monitoring reports provides the mechanism for reporting monitoring events undertaken each month.	Compliant
3.1	b) an Ambient Dust Monitoring Program . The program must provide for continuous monitoring of ambient dust concentrations (PM10) at no fewer than two locations at and around the site, as approved by the Secretary. The monitoring must employ the sampling and analysis methods specified under AM-18 or AS3580.9.8 and results of this monitoring must be recorded in ugm-3 to demonstrate compliance with condition 2.8A.	The OEMP includes a Dust Management Plan. Site observations. Annual Review 2020.	Dust monitoring is undertaken on site with two types of air quality monitoring undertaken including PM10 using a high-volume air sampler (2 locations) every six days, and dust deposition gauges (3 locations) monthly. X Refer to site photographs for a photo of PM10 air sampler and dust deposition gauge observed on site. Annual Review 2020 provides air quality monitoring results.	Compliant

3.1	<p>c) a Transport Monitoring Program to monitor traffic movements and driver behaviour of heavy vehicles associated with the project. This program must be applied to all heavy vehicles associated with the project. The Program must include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i) details on the monitoring program, such as the frequency and methodology of the monitoring program. This program must include (but not be limited to) the 'spot' auditing of transport movements and driver behaviors at various operational times; ii) a regular internal review of results from the monitoring program to assess the performance of the transport management measures and to ensure compliance with the requirements of this approval; and iii) a protocol for implementing contingency measures should any non-compliance be detected. 	OEMP 2021 includes a Transport Monitoring Program (Section 4.1.4)	The Transport Monitoring Plan outlines measures to monitor/manage all heavy vehicle traffic movements associated with the operations.	Compliant
3.1	<p>The Operational Monitoring Program must be incorporated into the Operational Environmental Management Plan for the project (refer to condition 5.4 of this approval). The Proponent must implement the management plan as approved from time to time by the Secretary.</p> <p>Note: The results of the monitoring program required in condition 3.1 of this approval may be incorporated into the Annual Environmental Management Report, required by condition 6.3 of this approval.</p>	OEMP 2021.	OEMP 2021 includes all of the outlined components of the Operational Monitoring Plan.	Compliant
3.2	<p>The Proponent must review the Operational Monitoring Program referred to under condition 3.1 on a six-monthly basis, and may, with the agreement of the Secretary, alter the frequency and/ or scope of monitoring provided:</p> <ul style="list-style-type: none"> a) pollutant/ parameter monitoring has been undertaken for a period of no less than six months (measured from the commencement of operation of the project); b) there has been no exceedance of any limit placed on the subject pollutant or parameter, through this consent or any Environment Protection Licence under the Protection of the Environment Operations Act 1997 within the preceding six-month period; c) there has been no reasonable complaint received from the public in relation to the subject pollutant/ parameter within the preceding six-month period (refer to condition 4.3 of this approval); and d) the EPA raises no objection to the proposed alteration to the frequency of pollutant/parameter monitoring. 		<p>There is no evidence that the Operational Monitoring Program has been reviewed on a six-monthly basis.</p> <p>Recommendation: The Operational Monitoring Program should be reviewed following finalisation of this audit and every six months thereafter.</p>	Non-compliant
3.3	<p>Noise Audit</p> <p>Within 90 days of commencement of operations associated with the project and during a period in which the project is operating under normal operating conditions, the Proponent must conduct a Noise Audit of its operations. This Audit must:</p> <ul style="list-style-type: none"> a) be undertaken by an appropriate and recognised acoustic engineer, who is independent of, or not associated with, any organisation that has been involved with the acoustic assessment of the application (the subject of this approval), or involved in any supervision or designs associated with the construction of the project; b) assess whether the project is complying with the criteria specified in condition 2.3 of this approval; c) identify what additional measures could be implemented to ensure compliance should any non-compliance be detected; and d) provide details of any complaints received relating to noise generated by the project, and action taken to respond to those complaints. 	Evidence verified during 2018 Holcim IEA - A noise audit was undertaken on the site (22-23 February 2016) by Golders Associates and found the noise generated from the use of the premises was in compliance with the development consent conditions.	RHDC is in currently in the operational phase, therefore this condition is no longer applicable.	Compliant

3.4	<p>Within 28 days of conducting the Audit referred to under condition 3.3 of this approval, the Proponent must provide the Secretary and the DECCW with a copy of the Noise Audit report. If the Audit identifies any non-compliance with the noise limits imposed under this approval, the Proponent must detail within 30 days what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Secretary. These ameliorative measures must be completed, if practicable, within 30 days of submission of the Noise Audit to the Secretary and a second noise audit must be conducted demonstrating acoustic compliance. If it is not practicable to complete the ameliorative measures within the 30 day period they should be undertaken in accordance with a timetable approved by the Secretary and the EPA.</p>	<p>Evidence verified during 2018 Holcim IEA -</p> <p>Letter to NSW Department of Planning and Environment (18 March 2016), with noise audit as appendix.</p> <p>AEMR prepared for the period 1 October 2015 to 30 September 2016 (dated 28 September 2016).</p>	<p>This condition was closed out during the previous audit.</p>	Compliant
3.5	<p>Independent Environmental Auditing</p> <p>The Proponent shall commission an independent person or team to undertake an Environmental Audit of the project at six months, and at two years after the commencement of operation of the project, and then as may be directed by the Director-General. The independent person or team must be approved by the Director-General prior to the commencement of the Audit. The Audit must:</p> <p>a) be carried out in accordance with ISO 19011:2002 - Guidelines for Quality and/or Environmental Management Systems Auditing;</p> <p>b) assess compliance with the requirements of this approval, and other licences and approvals that apply to the project;</p> <p>c) assess the environmental performance of the project against the predictions made and conclusions drawn in the documents referred to under condition 1.1 of this approval; and</p> <p>d) review the effectiveness of the environmental management of the project, including any environmental impact mitigation works.</p> <p>An Environmental Audit Report shall be submitted to the Director-General within two months of the completion of the Audit, detailing the findings and recommendations of the Audit and including a detailed response from the Proponent to any of the recommendations contained in the Report.</p> <p>The Director-General may require the Proponent to undertake reasonable works to address the findings or recommendations presented in the Report in relation to compliance with this approval. Any such works must be completed within such time as the Secretary may require.</p> <p>Note: This condition only requires audits to be undertaken and reported for the period prior to the approval of MOD2.</p>	<p>The first audit was undertaken for the period 1 October 2015 to 31 March 2016.</p> <p>EMM was commissioned to undertake the an IEA on 27 July 2017 (RHDC IEA 2018).</p>	<p>This condition is out of the current audit scope as it was fulfilled by the last two audits.</p>	Compliant
3.5A	<p>Within a year of the date of the approval of MOD 2, and every three years thereafter, unless the Secretary directs otherwise, the Proponent must commission and commence, and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <p>(a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the relevant agencies;</p> <p>(c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL or necessary water licences for the development (including any assessment, strategy, plan or program required under these approvals);</p> <p>(d) review the adequacy of strategies, plans or programs required under the abovementioned approvals;</p> <p>(e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and</p> <p>(f) be conducted and reported to the satisfaction of the Secretary.</p>	<p>The previous audit period was completed on 12 December 2017.</p> <p>MOD2 was approved on 29 June 2017.</p> <p>EMM was commissioned to undertake this independent environmental audit on 19 May (purchase order issued 19 May 2021).</p> <p>RHDC – IEA Submission Extension Request – Service Level Agreement email dated 23 November 2021</p>	<p>(a) to (e) has been fulfilled.</p> <p>MOD2 was approved on 29 June 2017. The previous audit (undertaken for the period 31 March 2016 to 12 December 2017) notes "Given that the majority of the audit period was prior to the approval of MOD2, Condition 3.5 has been applied. However, it is noted that agencies were consulted as part of this audit."</p> <p>There is no evidence that an audit was undertaken within a year of the date of the approval of MOD2, and thus the current audit period is from 13 December 2017 - 17 November 2021. No evidence of the Secretary making available alternative arrangements.</p> <p>EMM Consulting was commissioned to undertake this independent environmental audit on 19 May 2021 (purchase order 4520690232), and activities officially commenced in the week of 16 August 2021. The site inspection was delayed due to State Government public health orders issued during the Covid-19 pandemic lockdown in the Greater Sydney Area.</p> <p>Holcim emailed DPIE on 23 November 2021 notifying DPIE about the delay and seeking an extension for the audit.</p> <p>Recommendation: The next audit should take place three years after this audit (ie November 2024).</p>	Non-compliant

3.5B	Within 12 weeks of commencing an audit under condition 3.5A, or as otherwise agreed by the Secretary, the Proponent must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of these recommendations as required. The Proponent must implement these recommendations, to the satisfaction of the Secretary.	RHDC – IEA Submission Extension Request – Service Level Agreement email dated 23 November 2021	Site audit was delayed due to Covid-19 restrictions. Holcim emailed DPIE on 23 November 2021 notifying DPIE about the delay and seeking an extension for the audit.	Non-compliant
4. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT				
4.1	By 30 September 2011, the Proponent must: (a) make copies of the following publicly available on its website: <ul style="list-style-type: none"> the documents referred to in condition 1.1; all relevant statutory approvals for the project; all approved strategies, plans and programs required under the conditions of this approval; a comprehensive summary of the monitoring results for the project; a complaints register, which is to be updated on a quarterly basis; the Annual Review reports required under this approval (over the last 5 years); any independent environmental audit of the project, and the Proponent's response to any recommendations in any audit; and any other matter required by the Secretary; and (b) keep this information up-to-date, to the satisfaction of the Secretary.	https://www.holcim.com.au/about-us/community-link/regional-distribution-centre-rdc-rooty-hill-nsw	(a) <ul style="list-style-type: none"> The website includes the documents related to the original EA, MOD1 and MOD2. These are indexed as "Environmental Assessment Report & Response". Statutory approvals for the project are provided in a web page titled 'Project Application & Approval'. Approved strategies, plans and programs are provided on pages titled 'Management Plans & Strategies'. Noise monitoring results for the project and Annual Environmental Review reports are provided on page 'Environmental Monitoring Reports'. A complaints register, which is to be updated on a quarterly basis is provided for all Holcim operations on their website. However, it is hard to locate The AEMR has been provided for 2018-2020, 2015-2016, 2013-2014, etc, however the year 2017 has been missed. The previous independent environmental audits of the project has been provided in a page titled 'Independent Environmental Audit'. (b) Most information is up to date, however Annual Review 2017 is missing and given that some documents are currently under review (OEMP 2019) they have not been updated. Recommendation: The OEMP currently uploaded is the OEMP 2015, which should be updated to the OEMP 2021 version as soon as approved by the DPIE. All Annual Review reports should be uploaded to the website. Access to the complaints register should be more intuitive (ie a direct link should be provided from the RHDC webpage).	Compliant
4.2	Complaints Procedure Prior to the commencement of construction of the project, the Proponent must ensure that the following are available for community complainants for the life of the project (including construction and operation): a) a telephone number on which complaints about construction and operational activities at the site may be registered; b) a postal address to which written complaints may be sent; and c) an email address to which electronic complaints may be transmitted.	https://www.holcim.com.au/about-us/community-link/regional-distribution-centre-rdc-rooty-hill-nsw/community-liaison-group	All contact details for registering complaints (from the public) are provided on the web site.	Compliant
4.2	The telephone number, the postal address and the email address must be displayed on a sign near the entrance to the site, in a position that is clearly visible to the public, and which clearly indicates the purposes of the sign.	Site observation.	Site audit confirmed telephone, postal address and email address are provided at the site entrance.	Compliant
4.3	The Proponent must record details of all complaints received through the means listed under condition 4.2 of this approval in an up-to-date Complaints Register. The Register must record, but not necessarily be limited to: a) the date and time, where relevant, of the complaint; b) the means by which the complaint was made (telephone, mail or email); c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect; d) the nature of the complaint; e) any action(s) taken by the Proponent in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.	INX register.	A software program (INX) has been established to record incidents and events that may occur, this includes provision to collect and manage complaints registered by members of the public. No complaints have been registered in the period between the last audit (31 March 2016) and EMM's site audit (12 December 2017).	Compliant
4.3	The Complaints Register must be made available for inspection by the Secretary upon request.			Note

4.4	Community Communication Strategy Prior to the commencement of any works associated with the project at the site, the Proponent must prepare and implement a Community Communication Strategy for the project. This strategy must be designed to enable the Proponent to respond to any enquiries from the local community and/or adjoining landowners and to provide mechanisms to inform the local community and adjoining landowners as to the operational environmental performance of the facility. The Strategy must include, but does not necessarily be limited to: a) mechanisms through which the Proponent can report to the local community and adjoining landowners on the operations of the project and its environmental performance; b) mechanisms through which the community and/or adjoining landowners can provide feedback to the Proponent in relation to the environmental management of the project; and c) mechanisms through which the Proponent can respond to any enquires or feedback from the community and/or adjoining landowners in relation to the environmental performance of operations at the project.	Community Consultation Strategy prepared by SKM (Version 0 September 2011 and Final Version 1 - June 2012), this strategy covers all elements of this criterion.		Compliant
4.4	The Strategy must be approved by the Secretary prior to the commencement of construction of the project. The Proponent must implement the management strategy as approved from time to time by the Secretary.	Evidence verified during 2018 Holcim IEA - Letter from the Department of Planning and Infrastructure (6 September 2011), providing approval for the Version 0 Community Communications Strategy.		Compliant
5. ENVIRONMENTAL MANAGEMENT				
5.1	Environmental Representative Prior to the commencement of site preparation works, the Proponent must nominate a suitably qualified and experienced Environmental Representative(s) whose appointment is to receive prior approval of the Secretary. The Proponent must employ the Environmental Representative(s) on a full-time basis, or as otherwise agreed by the Secretary, during the operations at the site. The Environmental Representative must be: a) the primary contact point in relation to the environmental performance of the project; b) responsible for all Management Plans and Monitoring Programs required under this approval; c) responsible for considering and advising on matters specified in the conditions of this approval, and all other licences and approvals related to the environmental performance and impacts of the project; d) responsible for receiving and responding to complaints in accordance with condition 4.2 of this approval; and e) given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur. The Proponent must notify the Secretary of any changes to that appointment that may occur from time to time.	S. Shashi, Planning and Environment Coordinator NSW/ACT is the Environmental Representative for the RHDC. R.Flack is the Site Manager for the RHDC.	S. Shashi and R. Flack were the environmental representatives for the RHDC site at the time this audit commenced, with S. Shashi acting as the primary contact in relation to the environmental performance of the project and fulfilling the responsibility of (a) to (e) of this condition. There is no evidence that the Secretary has been notified in writing of the appointment of the current environmental representatives at the site. Recommendation: The Secretary should be informed in writing about appointment of the current environmental representative(s) appointments.	Compliant
5.2	Construction Environmental Management Plan The Proponent must prepare and implement a Construction Environmental Management Plan to outline environmental management practices and procedures to be followed during the site preparation and construction activities during each stage of the project. The Plan must be consistent with the Department's Guideline for the Preparation of Environmental Management Plans (DIPNR 2004) and must include, but not necessarily be limited to: a) the Management Plans listed under condition 5.3 of this approval; b) the environmental management and mitigation measures outlined in the documents referenced in condition 1.1; and c) complaints handling procedures during construction.		A Construction Environmental Management Plan (CEMP) for the construction of the CBP has not been provided during the audit. There is no evidence to suggest that a CEMP was prepared and implemented during the construction of the CBP.	Non-compliant

5.2	The Plan must be approved by the Secretary prior to the commencement of any site preparation and construction works associated with the project subject to this approval, or within such period otherwise agreed by the Secretary. Construction works associated with any stage of the project subject to this approval must not commence until written approval has been received from the Secretary for that stage. The Proponent must implement the management plan as approved from time to time by the Secretary.		Refer to response to Condition 5.2.	Non-compliant
5.3	As part of the Construction Environmental Management Plan for the project, required under condition 5.2 of this approval, the Proponent must prepare and implement the following Management Plans: a) a Soil and Water Management Plan to detail measures to minimise dust, erosion and the discharge of sediment and other pollutants to lands and/or waters during construction works associated with the project. The Plan must be prepared in accordance with Landcom's Managing Urban Stormwater: Soils and Construction, 4th edition, March 2004.		Refer to response to Condition 5.2.	Non-compliant
5.3	b) a Noise Management Plan to detail measures to minimise noise generated during construction activities associated with the project. The Plan must include, but not necessarily be limited to: i) identification of each work area, site compound and access route (both private and public), and the identification of the specific activities that will be carried out and associated noise sources at these sites; ii) identification of all potentially affected sensitive receivers, and the specification of the noise and vibration criteria for the proposed works (as identified in the documentation listed in condition 1.1); iii) demonstration that the construction methods (including construction traffic noise) will meet the objectives of the EA and noise criteria. This must include an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise impacts where the objectives are predicted to be exceeded; iv) a detailed description of what actions and measures would be implemented to ensure that these works would comply with the relevant noise and vibration criteria; v) procedures for notifying residents of construction activities that are likely to effect their noise and vibration amenity, as well as procedures for dealing and responding to noise complaints; vi) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be conducted, how the results of this monitoring would be recorded; and vii) if any non-compliance is detected, with the criteria in condition 2.3 or the noise mitigation measures described in the Noise Management Plan, a description of what procedures would be followed to ensure compliance.		Refer to response to Condition 5.2.	Non-compliant

5.3	<p>d) a Dust Management Plan to outline measures to minimise and manage any impacts from the construction of the project on local air quality. The Plan must include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i) identification of all major sources of dust that may occur as result of the construction of the project; ii) description of the procedures to manage the emission of dust from the sources identified; iii) identification of the locations where monitoring of dust emissions is to be undertaken; iv) procedures for the monitoring of dust emissions from the project, in accordance with any requirements of the EPA; v) protocols for regular maintenance of the construction plant and equipment to minimise the potential for dust emissions; vi) a principal requirement to satisfy the relevant goals specified under condition 2.8 and 2.8A of this approval at all times; vii) a system that allows for periodic assessment and reasonable implementation of Best Management Practice (BMP) and Best Available Technology Economically Achievable (BATEA) to minimise dust impacts during the construction of the project; viii) a system for regular auditing to ensure the effective implementation and maintenance of mitigation measures required to achieve the air quality goals specified under condition 2.8 and 2.8A of this approval; ix) pro-active and reactive management and response mechanisms for particulate emissions, with specific reference to measures to be implemented and actions to be taken in a timely manner to minimise and prevent reasonably foreseeable elevated air quality impacts on surrounding land uses as a consequence of meteorological conditions during construction of the project or the specific construction works being undertaken at any particular time; and x) description of procedures to be undertaken if any non-compliance is detected. <p>The Proponent must implement the management plan as approved from time to time by the Secretary.</p>		Refer to response to Condition 5.2.	Non-compliant
5.4	<p>Operation Environmental Management Plan</p> <p>The Proponent must prepare and implement an Operation Environmental Management Plan to detail an environmental management framework, practices and procedures to be followed during the operation of the project. The Plan must be consistent with the Department's Guideline for the Preparation of Environmental Management Plans (DIPNR 2004), and must include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i) the complaints handling procedures (conditions 4.2 and condition 4.3 of this approval); ii) the environmental mitigation measures outlined in the Environmental Impact Statement (including those outlined in Table 18-1) and supporting information (as referenced in condition 1.1 of this approval); iii) the Monitoring Program listed under condition 3.1 of this approval; and iv) the Management Plans listed under condition 5.5 of this approval. 	<p>OEMP 2015.</p> <p>OEMP 2019.</p> <p>OEMP 2021.</p>	It is understood that OEMP 2021 is currently under review by DPIE.	Compliant
5.4	The Plan must be submitted for the approval of the Secretary no later than one month prior to the commencement of operation of the project, or within such period otherwise agreed by the Secretary. Operation must not commence until written approval has been received from the Secretary. Upon receipt of the Secretary's approval of the Plan, the Proponent must provide a copy of the Plan to the EPA and Council as soon as practicable. The Proponent must implement the management plan as approved from time to time by the Secretary.	Evidence verified during RHDC IEA 2018 - Letter from the DPE (19 October 2015) advising approval of the OEMP.		Compliant
5.5	<p>As part of the Operation Environmental Management Plan for the project, required under condition 5.4 of this approval, the Proponent must prepare and implement the following Management Plans:</p> <p>a) a Noise Management Plan to outline monitoring, management procedures and measures to minimise total operational noise emissions from the project. This plan must include operational noise management, traffic noise management and train noise management. This plan must also include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i) the Operational Noise Management Protocol, as outlined in condition 2.7 of this approval; ii) procedures for monitoring the project; iii) a program for handling and responding to noise complaints. 	OEMP 2021.	<p>OEMP includes a Noise Management Plan, including an Operational Noise Management Protocol. The scope of the plan addresses the requirements of this condition.</p> <p>It is our understand that OEMP 2021 is currently under review by DPIE and has not been endorsed yet.</p>	Compliant

5.5	b) a Traffic Management Plan to outline measures to manage all heavy vehicle traffic movements associated with the project to minimise impacts on the local and regional road network. This must include the Transport Management Strategy, a Transport Code of Conduct for heavy vehicles (including contractors).	OEMP 2021.	OEMP includes a Traffic Management Plan. The scope of the plan addresses the requirements of this condition. It is our understanding that OEMP 2021 is currently under review by DPIE and has not been endorsed yet.	Compliant
5.5	c) a Soil and Water Management Plan to detail measures to manage and mitigate the impacts of stormwater runoff from and within the site. The Plan must be consistent with the South Creek Stormwater Management Plan and must utilise Council's Stormwater Quality Control Policy dated 1 June 2005 as a guide. The Plan should include, but not necessarily be limited to: i) details of the monitoring requirements of this approval, specifically the requirements of condition 1.1 of this approval; and ii) details of any contingency measures that would be followed to ensure the protection of groundwater and neighbouring waterways should any non-compliance be detected or during an accident or emergency situation at the site that could result in the contamination of surface water or groundwater; and iii) evidence of compliance with the targets in Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC & ARMCANZ, 2000) October 2000.	OEMP 2021.	OEMP includes a Soil and Water Management Plan (SWMP). The scope of the plan addresses the requirements of this condition. OEMP 2021 is currently under review by DPIE and has not been endorsed yet.	Compliant
5.5	d) a Dust Management Plan to outline measures to minimise and manage any impacts from the operation of the project on local air quality. The Plan must include, but not necessarily be limited to: i) identification of all major sources of dust that may occur as result of the operation of the project; ii) description of the procedures to manage the emission of dust from the sources identified; iii) identification of the locations where monitoring of dust emissions is to be undertaken; iv) procedures for the monitoring of dust emissions from the project, in accordance with any requirements of the DECCW; v) protocols for regular maintenance of equipment, conveyor systems and materials handling facilities to minimise the potential for dust emissions; and vi) a principal requirement to satisfy the goals satisfied [specified] under condition 2.8 of this approval at all times, including to the extent that is reasonable and practical, dust suppression considerations in the detailed design of the project; vii) a system that allows for periodic assessment and reasonable implementation of Best Management Practice (BMP) and Best Available Technology Economically Achievable (BATEA) to minimise dust impacts over the life of the project; viii) a system for regular auditing to ensure the effective implementation and maintenance of mitigation measures required to achieve the air quality goals specified under condition 2.8 of this approval; ix) pro-active and reactive management and response mechanisms for particulate emissions, with specific reference to measures to be implemented and actions to be taken in a timely manner to minimise and prevent reasonably foreseeable elevated air quality impacts on surrounding land uses as a consequence of meteorological conditions or the specific construction works being undertaken at any particular time; and x) description of procedures to be undertaken if any non-compliance is detected.	OEMP 2021.	OEMP includes a Dust Management Plan. The scope of the plan addresses the requirements of this condition. OEMP 2021 is currently under review by DPIE and has not been endorsed yet.	Compliant
5.5	e) a Vegetation Management Plan as described in condition 2.24 of this approval.	OEMP 2021.	OEMP includes a Vegetation Management Plan. The scope of the plan addresses the requirements of this condition. OEMP 2021 is currently under review by DPIE and has not been endorsed yet.	Compliant
5.5	The proponent must implement the management plan as approved from time to time by the Secretary.	Site observations.		Compliant

5.6	<p>Within 3 months of the submission of an:</p> <p>(a) incident report under condition 6.1 below;</p> <p>(b) Annual Review under condition 6.3 below;</p> <p>(c) Independent Environmental Audit under condition 3.5 or condition 3.5B above; and</p> <p>(d) any modifications to this consent,</p> <p>the Proponent must review the strategies, plans and programs required under this consent, to the satisfaction of the Secretary. The Proponent must notify the Department in writing of any such review being undertaken. Where this review leads to revisions in any such document, then within 6 weeks of the review the revised document must be submitted for the approval of the Secretary.</p> <p>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve environmental performance of the development.</p>		<p>OEMP 2021 is currently under review by DPIE and has not been endorsed yet.</p> <p>This audit has identified that management plan(s) and Annual Review(s) are not being completed and submitted to DPIE within the timeframes specified in the conditions.</p> <p>Recommendation:</p> <ul style="list-style-type: none"> • Annual Reviews, management plans and monitoring programs need to be prepared and/or updated in accordance with the timeframes specified in conditions of consent. • Annual Reviews, management plans and monitoring programs need to be submitted to DPIE and other relevant government agencies, as specified in conditions of consent. 	Non-compliant
5.7	<p>Where consultation with any public authority is required by the conditions of this consent, the Proponent must:</p> <p>(a) consult with the relevant public authority prior to submitting the required document to the Secretary for approval;</p> <p>(b) submit evidence of this consultation as part of the relevant document;</p> <p>(c) describe how matters raised by the authority have been addressed and any matters not resolved; and</p> <p>(d) include details of any outstanding issues raised by the authority and an explanation of disagreement between any public authority and the Proponent.</p>	PM10 Device relocation - RHDC emails with DPIE and EPA starting December 2019.	<p>As per outcomes of Condition 5.6, consultation has not taken place in accordance with timelines specified in the consent.</p> <p>However, consultation with DPIE and EPA regarding the relocation of PM10 device and EPL surrender, and updating this in the OEMP has been sighted.</p> <p>There is no evidence of formal tracking system for matters raised by authorities.</p>	Non-compliant
5.8	Any reference to a guideline, policy, standard or similar document that must be taken into account, complied with or otherwise applied under any condition of this consent means a reference to that document or any later version or replacement of that document as it existed at the date at which the document must be applied.			Note
6. ENVIRONMENTAL REPORTING				
6.1	<p>Incident Reporting</p> <p>The Proponent must notify the EPA and the Secretary of any incident with actual or potential significant adverse off-site impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident ("initial notification"). The Proponent must provide written details ("written report") of the incident to the EPA and the Secretary within seven days of the date on which the incident occurred.</p>	<p>INX register.</p> <p>RHDC Fire Incident Report dated 20 September 2019.</p>	<p>There have been six incidents or events recorded since the last audit. Most of these would be defined as not having had significant adverse off-site impacts on people or the biophysical environment. All matters were able to be attended to and appropriately resolved in a timely manner.</p> <p>One incident of note is the targeted incident which resulted in a fire, which was appropriately handled and resolved.</p>	Compliant
6.2	<p>The Proponent must meet the reasonable requirements of the Secretary to address the cause or impact of any incident, as it relates to this approval, reported in accordance with condition 6.1 of this approval, within such period as the Secretary may require.</p> <p>Note: Condition 6.2 of this approval does not limit or preclude the EPA from requiring any action to address the cause or impact of any incident, in the context of the EPA's statutory role in relation to the project.</p>	<p>INX register.</p> <p>RHDC Fire Incident Report dated 20 September 2019.</p>	As above.	Compliant

6.3	<p>Annual Performance Reporting</p> <p>The Proponent must, throughout the life of the project, prepare and submit to the Secretary, an Annual Review. The Annual Review must review the performance of the project against the Operation Environmental Management Plan (refer to condition 5.4 and condition 5.5 of Annual Review must include, but not necessarily be limited to:</p> <p>a) details of compliance with the conditions of this approval; b) a copy of the Complaints Register (refer to condition 4.3 of this approval) for the preceding twelve-month period (exclusive of personal details), and details of how theses complaints were address and resolved; c) a comparison of the environmental impacts and performance of the project against the environmental impacts and performance predicted in those documents listed under condition 1.1 of this approval; d) results of all environmental monitoring required under this approval and other approvals, including interpretations and discussion by a suitably qualified person; and e) a list of all occasions in the preceding twelve-month period when environmental performance goals for the project have not been achieved, indicating the reason for failure to meet the goals and the action taken to prevent recurrence of that type of incident.</p>	DPIE letter dated 23 August 2021 regarding: RHDC (LEC No 10406 of 2006) Annual Review 1 July 2018 - 31 December 2020	<p>DPIE noted that Holcim "failed to submit the Annual Review for the reporting periods from 1 July 2018 to 31 June 2019 and 1 July 2019 to 31 June 2020 in accordance with Condition 6.4 of the approval and advises that this non-compliance will be followed up separately by the Department."</p> <p>Recommendation: As per DPIE's advice, the Annual Reviews on the calendar year basis with the 2012 Annual Review should be submitted in March 2022.</p>	Non-compliant
6.4	<p>The Proponent must submit a copy of the Annual Review to the Secretary, EPA and Council every year, with:</p> <p>i) the first Annual Review to be submitted within twelve months after the commencement of operation of the project; and ii) the second and subsequent Annual Review to be submitted concurrently with the EPA's Annual Return.</p>		Refer to response to Condition 6.3.	Non-compliant
6.4	The Proponent must make the Annual Review available to the public for inspection upon request.		<p>All Annual Review reports with the exception of Annual Review 2017 have been uploaded to the Holcim RHDC webpage.</p> <p>Recommendation: Refer to Condition 4.1.</p>	Non-compliant
6.5	The Secretary may require the Proponent to address certain matters in relation to the environmental performance of the project in response to review of the Annual Environmental Report in relation to compliance with this approval and any comments received from the EPA and/or Council. Any reasonable action required to be undertaken must be completed within such period as the Secretary may agree.	DPIE letter dated 23 August 2021 regarding: RHDC (LEC No 10406 of 2006) Annual Review 1 July 2018 - 31 December 2020	<p>DPIE notes the incidents regarding exceedance of air quality criteria, however no timelines are given for taking action.</p> <p>As per DPIE correspondence, "onsite monitoring is required to be undertaken in accordance with the approval and any associated Management Plans, as approved by the Planning Secretary. Any amendments to the parameters required to be monitored, including monitoring frequencies and locations are to be included in the amended respective Management Plans and submitted to the Planning Secretary for approval, prior to implementation."</p> <p>Recommendation: Air quality non-compliances noted in the Annual Review 2020 and in DPIE's Letter should be addressed.</p> <p>Annual Reviews, management plans and monitoring programs need to be prepared and/or updated in accordance with the timeframes specified in conditions of consent.</p> <p>Annual Reviews, management plans and monitoring programs need to be submitted to DPIE and other relevant government agencies, as specified in conditions of consent.</p>	Non-compliant

Rooty Hill Distribution Centre
Independent Environmental Audit 2021
Statement of commitments

Commitment	Condition of consent	Requirement (<i>exact wording</i>)	Evidence collected	Independent audit findings and recommendations	Compliance
Compliance with EA	1	To carry out the project generally in accordance with the documents listed in condition 1.1.	The original consent (DA 05_0051), Mod 1, Mod 2 documents. Site observations.	See DA 05_0051 Condition 1.1.	Non-compliant
Noise	2	The following noise controls will be implemented for the modified ROC: <ul style="list-style-type: none"> all conveyor drives and transfer points will be enclosed (or alternative comparative mitigation); the most eastern side of the truck load-out facility will be enclosed; noise walls will be constructed during the site establishment phase of construction (refer to Figure 6.1 for noise wall locations. Noise wall specifications are outlined in Appendix 2); plant design, specification and implementation of the modified ROC to achieve the relevant noise criteria (refer to Appendix 2); during construction noisy equipment will be situated behind structures that act as barriers or at distance from the noise-sensitive areas, where possible; construction plant and equipment will be maintained in good working order; during construction 'quiet' practices will be employed when operating equipment (e.g. unloading of trucks away from noise sensitive areas); and Holcim will liaise with Blacktown City Council and the Western Sydney Parklands Trust regarding the management of construction noise impacts on Nurragingy Reserve. <p>Holcim is committed to achieving the noise mitigation outcomes achieved by the above management controls. As technological advances occur and through implementing operational management controls, Holcim may be able to achieve the same noise mitigation outcomes through alternative means. Holcim may therefore modify the above management controls in response to these technological advances or operational controls, provided that the same overall noise management outcomes are achieved.</p>	Annual Review 2020. Quarterly Noise Monitoring Assessments prepared by Muller Acoustic Consulting (MAC) provided for the audit period (Q4 2017 - Q1 2021). Site observations.	Regular Quarterly Noise Monitoring Assessments identified that while the site was audible at some noise monitoring locations in only a few instances, noise emissions generated at the site always remained below relevant criterion at all assessed residential receivers. Compliance during the construction of the CBP cannot be verified, however no noise complaints were registered during the audit period.	Compliant
Air Quality (Construction)	3	Holcim will implement the following controls during construction of the modified ROC to minimise dust emissions associated with the Project: <ul style="list-style-type: none"> minimising all disturbed areas and stabilisation by progressive rehabilitation/stabilisation as soon as practicable; clearly identifying and delineating areas required to be disturbed and ensuring that disturbance is limited to those areas; minimising the area of disturbance by restricting vegetation clearing ahead of construction activities; removal of any material which is tracked onto pavement surfaces at the end of each working day; place hardstand material or install rumble grids at site exit points onto public roads to minimise the tracking of soil onto pavement surfaces; all trafficable areas on the site will be maintained in a condition that will minimise the generation or emission of windblown or traffic generated dust from the site at all times; vegetation will be established on soil stockpiles if they will be undisturbed for a period longer than three months; topsoil stripping will be undertaken when there is sufficient moisture content in the soil to minimise dust generation; plant and equipment will not be left idling when not in use; restricting or ceasing dust-generating activities on extremely windy or dry days; <p>and</p> <ul style="list-style-type: none"> ensuring that all equipment used on site will be maintained in good working order and in accordance with manufacturers specifications to minimise emissions. 	Annual Review 2020. INX Register. DA 05_0051 audit results.	The project is now in the operation phase and the implementation of controls during construction could not be observed. Compliance during the construction of the CBP cannot be verified however absence of air quality complaints during the construction phase suggests likely compliance.	Compliant
Air Quality (Operation)	4	Holcim will implement the following controls to minimise dust emissions associated with the operation of the project: <ul style="list-style-type: none"> all conveyor transfer points will be enclosed; conveyors will be covered on at least three sides; water sprays will be used within the transfer point enclosures, rail unloading facility and in other enclosures as required to further minimise dust; water spray systems will be installed to service all stockpiles; the rail unloading facility will be enclosed in a building that is open at each end to allow trains to pass through; all paved trafficable areas shall be swept as required by a permanently stationed street sweeper to minimise dust; all trafficable areas on the site will be maintained in a condition that will minimise the generation or emission of windblown or traffic generated dust from the site at all times; plant and equipment will not be left idling when not in use; the radial stacker and associated stockpiles will have water sprays which will be used when the facility is in operation, including when loading vehicles, as required to suppress dust; vehicle movements will be confined to designated areas, and vehicles will only travel on sealed roads; heavy vehicles entering and leaving the site that are carrying loads shall be covered at all times, except during loading and unloading activities; and ensuring that all equipment used on site will be maintained in good working order and in accordance with manufacturers specifications to minimise emissions. 	Site observations.	Item audit observations indicated measures to minimise dust emissions have been implemented on site: <ul style="list-style-type: none"> - Conveyor is covered. - Water sprayers provided within all designated areas, - Rail loading facility within an enclosed building, - Sealed surfaces were clean, and a street sweeper is used. - Surface run-off from sealed pavement (trafficable) areas captured and filtered prior to release. - Water sprayers installed at radial stacker and stockpiles and in use for loading. - Vehicle movements confined to designated areas. - Loads observed to be covered upon departure (product enters site by rail). - All plant and equipment appeared to be well maintained and in good working order. 	Compliant
Ecology	5	In addition to the existing commitments the following mitigation measures will be implemented to further reduce the impact of the modified ROC: <ul style="list-style-type: none"> prior to any clearing operations being undertaken, the limits of clearing will be clearly marked; native logs and bark removed during construction will be retained and reused in areas of Cumberland Plain Woodland, during regeneration and revegetation to provide sheltering habitat for the Cumberland land snail; sedimentation and erosion control measures will be put in place and maintained during construction and operation to ensure that soil material does not enter surrounding woodland and waterways; and the post-construction rehabilitation program will use local native plant species and incorporate a weed control program to prevent the spread of weed species into the surrounding woodland landscape. 			Not triggered
	6	Holcim will consider the small additional area of Cumberland Plain Woodland to be cleared for the modified ROC when establishing the Ecological Offset for the project as part of the preparation of the Vegetation Management Plan required by Project Approval Condition 2.24.	Evidence verified during RHDC IEA 2018 - Ecological offset for the project has been negotiated, sighted, letter from Western Sydney Parklands Trust (5 July 2011), reference Yoland Gil, advising acceptance of \$277,350.00 as a compensatory habitat package.		Compliant
Water Resources	7	All erosion and sediment control measures will be carried out in accordance with relevant guidelines for erosion and sediment control, including Managing Urban Stormwater: Soils and Construction (the Blue Book): <ul style="list-style-type: none"> Volume 1 (Landcom, 2004); and Volume 20 Main road construction (OECC, 2008). 	Site observations.	The project is in the operations phase. Pre-construction and construction compliance is beyond the scope of this audit. Site audit observations confirmed soil, sediment and erosion controls in place on site and appear to be well maintained.	Compliant
Greenhouse	8	Holcim will develop and implement an Energy Saving Management Plan (ESMP) as part of the Operation Environmental Management Plan. The ESMP will review energy usage, identify energy savings opportunities, and based on this, will implement viable energy saving measures.	ESMP prepared and approved as Appendix I to the OEMP	OEMP is current under review by DPIE.	Compliant

Visual	9	The externally visible elements of the on-ground concrete storage bins, the concrete plant silos, concrete batching plant, unloading station and other bulky elements, will be coloured in tones that are sympathetic (i.e. green/brown tones) to the surrounding native vegetation.	Site observations.		Compliant
Hazard	10	<p>The following control measures will be implemented associated with the development in relation to the high pressure gas pipeline:</p> <p>Technical control measures include:</p> <ul style="list-style-type: none">• design of piping and structures in accordance relevant standards;• geotechnical assessment to determine soil stability prior to construction activities;• use of appropriate equipment to minimise the impact on the pipe in the event of contact; and• use of process and design controls including limited excavation depths, buffer distances and designated crossings to limit potential for contact with or overstress of the pipe. <p>Non-technical safeguards and procedures include:</p> <ul style="list-style-type: none">• assessment of process designs, site layout and design changes;• procedural control including the pipeline owner's Daily Permit System and site inductions;• preparation of operating/construction procedures, including awareness and training;• cessation of operations in adverse weather conditions;• implementation of site speed limit, driver training, route selection and physical barriers where appropriate;• provision of physical controls including fencing of siding during construction;• limiting access to authorised personnel only and implementation of security patrol if necessary;• appropriate training and supervision of operations; and• provision of ongoing maintenance and operation procedures.	-	The design and installation of the high pressure gas pipeline occurred outside of the audit period.	Not triggered



Appendix D

EPL 20672 compliance register



Consent	Condition No.	Requirement (<i>exact wording</i>)	Evidence collected (2021)	Independent audit findings and recommendations (2021)	Compliance status (2021)
1. Administrative Conditions	A1.1	This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.	Note that EPL 20672 was surrendered effective 18 June 2020 Weighbridge records	Aligns with Development Consent compliance table	Compliant
	A1.2	Notwithstanding A1.1, the scale of distribution activity authorised under this licence must not exceed 4,000,000 tonnes per annum, being the amount equivalent to the distribution limit approved by the development consent granted under the Environmental Planning and Assessment Act 1979 for the premises specified	Weighbridge records	Aligns with Development Consent compliance table	Compliant
	A2.1	The licence applies to the following premises: 21 Kellogg Road, Rooty Hill		Note	
	A3.1	Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to: a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and b) the licence information form provided by the licensee to the EPA to assist the EPA in	Site observations	The proposed activity is classified as "extractive activities" with a maximum distribution limit of 4,000,000 tonnes per annum.	Compliant
2. Discharges to Air and Water and Applications to Land.	P1.1	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.	Site observations	Utilisation area means any area shown as a utilisation area on a map submitted with the application for this licence	Compliant
	P1.2	The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or setting of limits for the emission of noise from the point. Station Street, ROOTY HILL Crawford Road, ROOTY HILL Mavis Street, ROOTY HILL Nurragingy Reserve, Knox Road, DOONSIDE Colebee Centre, Nurragingy Reserve, Knox Road, DOONSIDE Blacktown International SportsPark, Eastern Road, ROOTY HILL	Noise monitoring assessment reports	Noise monitoring points are consistent with the sites nominated in the licence although Coghlan Crescent, Doonside, appears to have been substituted for Crawford Road, Doonside. The representativeness of the two sites are considered equivalent and therefore not a performance issue.	Compliant
3. Limit Conditions	L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	EPA public register	POEO Act Section 120 relates to pollution of waters	Compliant
	L2.1	The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted	Site observations	No evidence of waste being held on site other than waste associated with the authorised activities. No trucks observed to be carrying materials in-bound.	Compliant
	L2.2	This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.		Note	
	L3.1	Noise generated at the premises that is measured at each noise monitoring point established under this licence must not exceed the noise levels specified in Column 4 of the table below for that point during the corresponding time periods specified in Column 1 when measured using the corresponding measurement parameters listed in Column 2.	Reports prepared by Muller Acoustic Consulting for the period Q1 2019 to Q1 2021.		Compliant
	L3.2	For the purpose of assessing noise contributions from the premises at the locations mentioned in condition L3.1, noise is to be: a) measured or computed at the most affected point on or within the boundary, or at the most affected point within 30 metres of a dwelling house (where the dwelling is more than 30 metres from the boundary) to determine compliance with LAeq (15 minute) noise limits; or b) measured or computed at 1 metre from the dwelling façade to determine compliance with LA1 (1 minute) noise limits; and c) a 5 dB(A) must be added to the measured or computed noise if the noise is tonal or impulsive in character.	Reports prepared by Muller Acoustic Consulting (MAC) for the period Q1 2019 to Q1 2021.	MAC assessment was undertaken at four representative monitoring locations as per conditions outlined in the Development Consent. Methods were consistent with EPA Noise Policy for Industry	Compliant
	L3.3	The noise limits set out in condition L3.1 apply under all meteorological conditions except for the following: a) wind speeds greater than 3 metres/ second at 10 metres above ground level; or b) stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or c) stability category G temperature inversion conditions.	Reports prepared by Muller Acoustic Consulting (MAC) for the period Q1 2019 to Q1 2021.	MAC reports include data regarding wind speed, precipitation, time and date.	Compliant
4. Operating Conditions	O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste	Site observations	Observations indicated that the site is well maintained, storage is orderly, bunding in place where required, and materials competently handled.	Compliant
	O2.1	Maintenance of plant and equipment All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Site observations	Site audit observations identified that all plant and equipment was well maintained and in proper working order. Some safety signs were observed to be partly obscured by concrete splatter from washout areas, and it is recommended that Holcim regularly clean all safety signs to that they are clearly legible.	Compliant
	O3.1	Dust The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Site observations	Sealed surfaces over entire site, sprinklers operating on auto timed sequence in heavy vehicle loading and movement areas, and wheel wash prior to exit in place. Use of water cart for dust suppression was observed.	Compliant
	O3.2	Trucks entering or leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.	Site observations	All inbound trucks observed to have covers in place. All outbound trucks observed to have covers in place after weighbridge inspection and before deoarting premises.	Compliant
	O4.1	The licensee must prevent any tracking of mud on to public roads by vehicles leaving the premises.	Site observations	Immediate sections of access roads all in a clean condition	Compliant

5. Monitoring and Recording.	M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.		Note	
	M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised person.	INX Register		Compliant
	M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Annual Environmental Management Reviews (AEMRs). Phone call with S. Shashi on 23.02.2022.	Sampe dates recorded Point of collection identified Time of collection and name of person not evident in AEMRs S. Shashi explained that Holcim has a new online system that records each item within the system, and thus hardcopies of this data are not kept. However, evidence was not provided to verify this. Recommendation: Take screenshots and provide evidence for any future audits.	Non-compliant
	M2.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	INX Register		Compliant
	M2.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	INX Register		Compliant
	M2.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	INX Register	Refer to Consent condition 4.3	Compliant
	M2.4	The record must be produced to any authorised officer of the EPA who asks to see them.	EPA Public Register	Either not triggered or no issue recorded by EPA	Compliant
	M3.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	0447 138 181 https://www.holcim.com.au/about-us/community-link/regional-distribution-centre-rtc-rooty-hill-nsw		Compliant
	M3.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	https://www.holcim.com.au/about-us/community-link/regional-distribution-centre-rtc-rooty-hill-nsw		Compliant
	M3.3	The preceding two conditions do not apply until 3 months after the date of the issue of this licence.		Note	
6. Reporting Conditions.	R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: a) a Statement of Compliance; and b) a Monitoring and Complaints Summary. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.	NSW Environment Protection Authority 'licences, applications and notices search' , Licence Summary No: 20672, Annual Returns section. Annual Returns (ie Annual Reviews) for 2019, 2018 and 2017 Annual Returns only required for the period of the EPL (surrendered in 2020). "Note" A. Young spoke to M. Whyte, EPA on 16 March 2022. Ms Whyte confirmed that the Annual Return is one document, not two, and that the documents labelled Annual Review or Annual Report should be taken to be the Annual Return. Nothing is sent back from the EPA to the licensee to confirm receipt on an Annual Return.	Search results show that Annual Returns (ie Annual Review) dated 28 September - 18 June 2020 (Annual Returns 2020), dated 28 September 2018 - 27 September 2019 (Annual Returns 2019), dated 28 September 2017 - 27 September 2018 (Annual Returns 2018) and Annual Returns from two previous audits not within this audit period (2018 and 2019) have all been received by the EPA. Annual Returns provided during the audit period for the years 2019, 2018 and 2017 show that a Statement of Compliance, a Monitoring and Complaints Summary was provided in each report. However, Annual Returns for 2020 was not sighted (ie the last Annual Returns prior to EPL surrender). There is no reason to believe that this Annual Return did not have the same report structure.	Compliant
	R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below. Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.	Refer to evidence for Condition R1.1.	Annual Returns only required for the period of the EPL (surrendered in 2020). A consolidated return for the period 1 July 2018 to 31 December 2020 was submitted to the EPA a letter from the EPA (dated 23 August 2021) notes: Condition 6.3 of the development consent is satisfied by the consolidated return; Condition 6.4 of the development consent is not satisfied; The EPA approval is not an endorsement of the compliance status of the project; Several air quality sampling events were missed in 2019; PM10 air quality criteria was exceeded on six occasions and that Holcim is proposing to move the AQ monitor to the boundary of the site. Holcim has also committed to submitting Annual Returns on a calendar year basis with the 2021 Annual Return to be submitted in March 2022.	Compliant
	R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. Note: An application to transfer a licence must be made.		Not triggered	
	R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence.	EPA Licence Register notes that an Annual Return was received on 10 August 2020, being for the period 28 September 2019 to 18 June 2020. Returns for 2018 - 2019 not available on EPA Licence Register. A notice of Surrender of Licence was dated 18 June 2020.		Compliant
	R1.5	The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	Annual Return for period ending 18 June 2020 received by EPA 10 August 2020 Annual Return for period ending 27 September 2019 received by EPA 4 November 2019 Annual Return for period ending 27 September 2019 received by EPA 4 November 2019		Compliant
	R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Holcim website has Annual Returns (Annual Reviews) back to 2009, with 2017 report missing. https://www.holcim.com.au/about-us/community-link/regional-distribution-centre-rtc-rooty-hill-nsw/environmental-monitoring-reports		Non-compliant
	R1.7	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	Annual Return 2020	Annual Return 2020 signed by Rochelle Flack (Site Manager) as authorised officer.	Compliant
	R2.1	Notifications must be made by telephoning the Environment Line service on 131 555. Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements		Not triggered	
	R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.		Not triggered	

	R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.		Not triggered	
	R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.		Not triggered	
	R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours, telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours, telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and		Not triggered	
	R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.		Note	
7. General Conditions.	G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Photograph of site-based records, including EPL		Compliant
	G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.		Not triggered	
	G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Photograph of site-based records, including EPL		Compliant
8. Special Conditions.	E1.1	The licensee shall only undertake construction activities associated with the premises that are audible at any residential receptor, between the following hours: a) 7:00 am to 6:00pm, Mondays to Fridays, inclusive; b) 8:am to 1:00 pm on Saturdays; and	INX Register	No noise complaints received	Compliant
	E2.1	Within three (3) months of the commencement of operation, the licensee must undertake a noise verification monitoring campaign to verify that the activity is in compliance with the noise limits set out in the licence, per the monitoring requirements set out in the licence. The monitoring must attempt to measure the noise level of the operational activity at a selected number of receptor locations, sufficient to reasonably represent the surrounding residential	Reports prepared by Muller Acoustic Consulting for the period Q1 2019 to Q1 2021.	MAC assessment was undertaken at four representative monitoring locations as per conditions outlined in the Development Consent.	Compliant
	E2.2	Where the monitoring per the licence conditions may not be able to clearly record the noise level from the operation (e.g. as the representative receptor location(s) may be a significant distance away), the monitoring procedures outlined in the NSW Industrial Noise Policy, 2000 and/or accompanying guidance notes may be followed for monitoring at an interim location and calculating the likely noise level at the relevant receptor location. This may also include alternatives to minimum duration within assessment period and/or minimum number of assessment periods. However, any alternatives used must be justified to the EPA in the report required by condition	Reports prepared by Muller Acoustic Consulting for the period Q1 2019 to Q1 2021	Not triggered	
	E2.3	Within six (6) weeks of the completion of the noise verification monitoring campaign required by the licence conditions E2.1 and E2.2, the licensee must provide a report containing the results and the interpretation of the monitoring to the EPA's Manager Sydney Industry, PO Box 668 Parramatta or metro.regulation@epa.nsw.gov.au including details of any reasonable and feasible improvement measures necessary to ensure the activity is in compliance with the noise limits set out in the licence.	Reports prepared by Muller Acoustic Consulting for the period Q1 2019 to Q1 2021 S. Shashi phone call on 23.02.2022.	Reports prepared by Muller Acoustic Consulting for the period Q1 2019 to Q1 2021 signed within six weeks. Absence of proof of when sent to EPA. S. Shashi noted that with the EPA portal becoming digitised there is a new system in place that allows Holcim to email all reports to EPA electronically. Recommendation: Holcim should maintain records regarding dates that reports were submitted to regulatory agencies. For example, screenshots could be taken once documents are submitted to document	Non-compliant
	E2.4	If the results of the noise verification program show that compliance is not being achieved, the noise verification program must be repeated per licence conditions E2.1, E2.2 and E2.3 within three (3) months of the implementation of any reasonable and feasible measures necessary to ensure the activity is in compliance with the noise limits set out in the licence.		Not triggered	



Appendix E

EPL surrender compliance register



Rooty Hill Distribution Centre
Independent Environmental Audit 2021
EPL surrender

Condition of consent	Requirement (<i>exact wording</i>)	Evidence collected	Independent audit findings and recommendations	Compliance
APPROVAL OF THE SURRENDER OF LICENCE NO. 20672 - Issued on 18 June 2020 (Notice Number 1594803)				
1	The surrender of licence is approved.			
2	The approval of the surrender is subject to the following conditions:			
2(a)	The licensee must provide the EPA with an Annual Return in relation to compliance with the conditions of the licence during the period beginning on the last licence anniversary date and ending on the date that the surrender of the licence takes effect as set out in point 3 below.	NSW Environment Protection Authority 'licences, applications and notices search' , Licence Summary No: 20672, Annual Returns section.	EPA website notes that an Annual Return for the period 28 September 2019 - 18 June 2020 was received on 10 August 2020.	Compliant
2(b)	The Annual Return must be supplied to the EPA within 60 days of the date from which this notice operates (see note at the end of this notice).	NSW Environment Protection Authority 'licences, applications and notices search' , Licence Summary No: 20672, Annual Returns section.	As above.	Compliant
2(c)	The content and form of the Annual Return must be in accordance with the applicable reporting conditions in the licence before it was surrendered.	Not verified.		Non-compliant
2(d)	The Annual Return must be signed in accordance with the applicable reporting conditions in the licence before it was surrendered.	Not verified.		Non-compliant
3	Except as provided by section 84(2) of the Act, the approval of the surrender of the licence by this notice operates from the date of this notice.	Note		



Appendix F

Agency consultation letter example



22 August 2021

Tracy Mackey
Chief Executive Officer
NSW Environment Protection Authority
by email to tracy.mackey@epa.nsw.gov.au

Ground floor, 20 Chandos Street
St Leonards NSW 2065
PO Box 21
St Leonards NSW 1590

T 02 9493 9500
E info@emmconsulting.com.au
www.emmconsulting.com.au

Re: Independent Environmental Audit of Holcim Rooty Hill Distribution Centre 2021

Dear Ms Mackey,

EMM Consulting Pty Limited (EMM) has been engaged by Holcim Australia Pty Ltd to undertake an independent environmental audit of the Rooty Hill Distribution Centre (RHDC) located at 21 Kellogg Road, Rooty Hill, New South Wales (NSW). The appointment of the EMM audit team has been approved by the NSW Department of Planning, Industry and Environment (DPIE).

The independent environmental audit is requirement under Condition 3.5A of Development Consent DA 05_0051 – as modified.

The audit will consider the RHDC performance during the 2019 to 2021 three-year period with regard to:

- Development Consent DA 05_0051 and Statement of Commitments;
- the project as described in the Environmental Assessment (EA) of 2005, EA Mod 1 of 2011 and EA Mod 2 of 2017;
- Environment Protection Licence (EPL) 20672 (for the period that the EPL was applicable, noting that the EPL was surrendered in June 2020);
- any other permits and licences; and
- key environmental management plans, assessments or programs required under the approvals listed above.

Condition 3.5A(b) of the modified Development Consent states that the audit must include consultation with the relevant agencies.

Our understanding is that the relevant agencies are:

- Energy, Climate Change and Sustainability Division, Environment, Energy and Science Group; DPIE;
- NSW Environment Protection Authority, Environment, Energy and Science Group; DPIE;
- Biodiversity and Conservation Division, Environment, Energy and Science Group; DPIE;
- Water Group, DPIE;
- Transport for NSW; and

- Blacktown City Council.

We seek your comment on the involvement that your agency has had with the RHDC since the last audit in November 2018, the compliance of the RHDC with conditions relevant to your agency and any general comments you have on the operating environment and performance of RHDC.

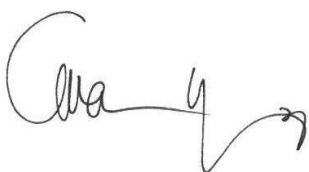
Matters which may be relevant are any issues regarding noise and vibration, air quality or traffic.

We would appreciate any written comments by Friday 15 October 2021. I am also available to discuss any matters that you believe are relevant to this audit.

Please feel free to refer this inquiry to the appropriate officer.

Should you have any questions, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Allan Young', with a stylized flourish at the end.

Allan Young

National Technical Leader, Urban and Regional Planning

ayoung@emmconsulting.com.au



Appendix G

Agency consultation responses





Allan Young
National Technical Leader, Urban and Regional
Planning
EMM Consulting
PO Box 21
ST LEONARDS NSW 1590

Dear Mr Young

Subject: Independent Environmental Audit of Holcim Rooty Hill Distribution Centre 2021

Thank you for your email received 23 August 2021 requesting Environment, Energy and Science Group (EES) comments on the Independent Environmental Audit of Holcim Rooty Hill Distribution Centre (RHDC) 2021. EES understands that the audit will consider the performance of RHDC from 2019 to 2021 and that EMM Consulting is seeking comments on compliance of the RHDC with relevant conditions, as well as the operating environment since November 2018.

EES notes that conditions 2.22-2.28 of Development Consent DA 05_0051 and the associated Statement of Commitments refer to consultation requirements with the Office of Environment and Heritage (OEH). EES, formerly known as OEH, has not been involved in compliance with these conditions from 2019 to 2021, and has no comments on the operating environment or performance of RHDC.

Please note that whilst Condition 2.37 also refers to OEH, Aboriginal cultural heritage matters are now the responsibility of Heritage NSW who can be contacted via heritagemailbox@environment.nsw.gov.au.

If you have any queries please contact Dana Alderson, Senior Project Officer Planning via Dana.Alderson@environment.nsw.gov.au or 02 8837 6304.

Yours sincerely

A handwritten signature in black ink that reads 'S. Harrison'.

11/10/21

Susan Harrison

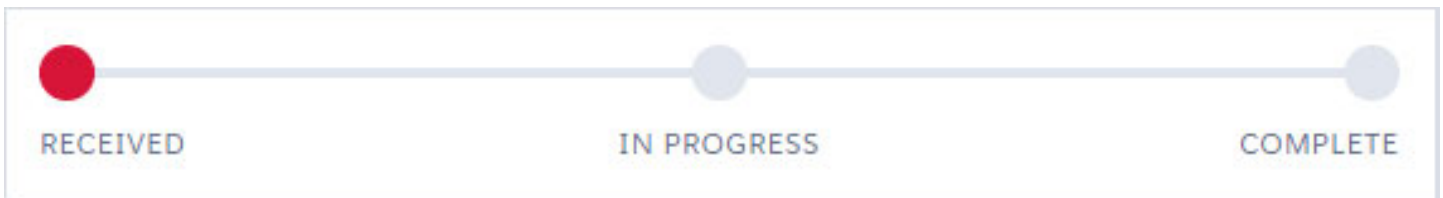
Senior Team Leader Planning
Greater Sydney Branch
Biodiversity and Conservation

From: DPIE - Feedback Assist <industry.feedback@dpie.nsw.gov.au>
Sent: Tuesday, 31 August 2021 11:44 PM
To: Allan Young
Subject: Enquiry Acknowledgement - 00099658

CAUTION: This email originated outside of the Organisation.

New South Wales Government

nsw.gov.au



Dear Allan Young,

Re: Independent environmental audit of Rooty Hill Distribution Centre Request for comment

Thank you for taking the time to contact DPIE Water. Your enquiry has been assigned to a staff member, who will look into this matter and will follow up with you shortly.

If you need more information or would like an update in the meantime, please contact us by replying to this email.

Yours sincerely,
Water EnquiriesTeam
Ph: 1300 081 047



ref:_00D6F1OCz9._5006F32Iq38:ref



ref:_00D6F1OCz9._5006F32Iq38:ref

From: Dana Alderson <Dana.Alderson@environment.nsw.gov.au>
Sent: Tuesday, 12 October 2021 6:20 AM
To: Allan Young
Subject: Re: Independent Environmental Audit of Holcim Rooty Hill Distribution Centre 2021
Attachments: EES response - Independent Environmental Audit of Holcim Rooty Hill Distribution Centre 2021.PDF

CAUTION: This email originated outside of the Organisation.

Dear Allan,

Please find EES response attached.

Kind regards,
Dana

Dana Alderson
Senior Project Officer Planning
Greater Sydney

I WORK PART DAYS MON-FRI

Biodiversity and Conservation | Department of Planning, Industry and Environment
T 02 8837 6304 | E dana.alderon@environment.nsw.gov.au
Level 10, 12 Darcy St, 4 Parramatta Square, Parramatta NSW 2150 | Locked Bag 5022
www.dpie.nsw.gov.au



The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

This email is intended for the addressee(s) named and may contain confidential and/or privileged information. If you are not the intended recipient, please notify the sender and then delete it immediately. Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment, Energy and Science.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL



Allan Young
National Technical Leader, Urban and Regional
Planning
EMM Consulting
PO Box 21
ST LEONARDS NSW 1590

Dear Mr Young

Subject: Independent Environmental Audit of Holcim Rooty Hill Distribution Centre 2021

Thank you for your email received 23 August 2021 requesting Environment, Energy and Science Group (EES) comments on the Independent Environmental Audit of Holcim Rooty Hill Distribution Centre (RHDC) 2021. EES understands that the audit will consider the performance of RHDC from 2019 to 2021 and that EMM Consulting is seeking comments on compliance of the RHDC with relevant conditions, as well as the operating environment since November 2018.

EES notes that conditions 2.22-2.28 of Development Consent DA 05_0051 and the associated Statement of Commitments refer to consultation requirements with the Office of Environment and Heritage (OEH). EES, formerly known as OEH, has not been involved in compliance with these conditions from 2019 to 2021, and has no comments on the operating environment or performance of RHDC.

Please note that whilst Condition 2.37 also refers to OEH, Aboriginal cultural heritage matters are now the responsibility of Heritage NSW who can be contacted via heritagemailbox@environment.nsw.gov.au.

If you have any queries please contact Dana Alderson, Senior Project Officer Planning via Dana.Alderson@environment.nsw.gov.au or 02 8837 6304.

Yours sincerely

11/10/21

Susan Harrison

Senior Team Leader Planning
Greater Sydney Branch
Biodiversity and Conservation

From: Evan Guyatt <Evan.Guyatt@epa.nsw.gov.au>
Sent: Friday, 3 September 2021 12:05 PM
To: Allan Young
Cc: shilpa.shashi@lafargeholcim.com
Subject: RE: Rooty Hill Regional Distribution Centre - Independent Environmental Audit

CAUTION: This email originated outside of the Organisation.

Dear Allan,

Thank you for your enquiry regarding the surrendered EPL 20672 Holcim Pty Ltd, located at 21 Kellogg Rd, Rooty Hill.

Firstly, the EPA has currently undertaken a new operating model on how it manages its Environment Protection Licences (EPL) whereby an officer is no longer allocated licences nor a region. All enquiries go through a centralised portal called the HUB. I have been allocated your enquiry but am not a contact for future enquiries regarding the site.

Secondly, please see below information regarding complaints as well as EPA regulatory action taken at the above site:

- Formal Warning issued 13/01/17 licensee's annual return (91234) for the reporting period 28 September 2015 to 27 September 2016, reported two non compliances related to the Noise Impact Verification (i.e. Failure to undertake a noise verification monitoring program within three months of commencement of operations at the premises, and to provide a report containing results of noise monitoring by the due date specified in the licence).
- Dust complaint (CIRAM I0284 2018) EPA inspected site on 21/08/2018 – EPA investigation deemed likely cause was from sand stockpile and loading areas. Advisory letter issued to licensee – 05/09/2018.
- 12/08/2019 – incident report received of several trucks allegedly set on fire at the premises. EPA investigated potential oil and/or fuel release onto premises and concluded satisfactory – no further action.

I hope you find the above information to your satisfaction.

Kind Regards
Evan

Evan Guyatt
Operations Assistant
Regulatory Operations – Metropolitan West
NSW Environment Protection Authority



www.epa.nsw.gov.au @NSW_EPA

The EPA acknowledges the traditional custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal elders past, present and emerging.

Report pollution and environmental incidents 131 555 or +61 2 9995 5555

Forwarded Message

From: Allan Young [ayoung@emmconsulting.com.au]

Sent: 19/08/2021 13:48

To: info@epa.nsw.gov.au

Subject: Rooty Hill Regional Distribution Centre Independent Environmental Audit

Hello

EMM Consulting has been engaged to conduct the required independent environmental audit (IEA) of the Holcim distribution centre at 21 Kellogg Rd, Rooty Hill.

The operations at the facility were, for part of the audit period, subject to EPL 20672. The EPL was surrendered in June 2020 due to amendments to Schedule 1 of the *Protection of the Environment Operations Act 1997*.

As part of the IEA, we would like to

(a) be provided with the contact details of the appropriate officer who may be responsible for this region or this facility so that we can refer inquiries, if needed, and

(b) to be provided with details of any community complaints received by the EPA for the period Jan 2019 to the present day which relate to the operation of this facility.

We look forward to your response.

Regards

Allan

Allan Young RPIA

National Technical Leader, Urban and Regional Planning



T 02 9493 9500

M 0481 988 722



Connect with us

SYDNEY | Ground floor, 20 Chandos Street, St Leonards NSW 2065



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From: Yael Lang <Yael.Lang@blacktown.nsw.gov.au>
Sent: Wednesday, 6 October 2021 9:51 AM
To: Allan Young
Subject: RE: Independent environmental audit of Rooty Hill Distribution Centre - Request for comment

CAUTION: This email originated outside of the Organisation.

Dear Allan Young,

I refer to your recent correspondence to Council regarding the independent environmental audit of Holcim Rooty Hill Distribution Centre (RHDC) located at 21 Kellogg Rd, Rooty Hill.

I have reviewed Council records for matters relating to the environmental performance of the facility for the period 2019 to 5 October 2021 and can confirm Council has no record of any environmental performance issues.

If you have any further enquires in this regard please do not hesitate to contact me.

Regards



Yael Lang
Environmental Compliance Officer - Industry

9839 6352

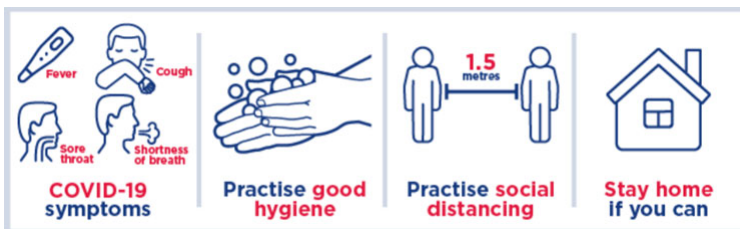
0438 972 918

Yael.Lang@blacktown.nsw.gov.au

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From: Allan Young <ayoung@emmconsulting.com.au>
Sent: Monday, 23 August 2021 8:38 AM

To: Blacktown Council <Blacktown.Council@blacktown.nsw.gov.au>

Subject: Independent environmental audit of Rooty Hill Distribution Centre Request for comment

EMM Consulting is conducting an independent environmental audit of the Rooty Hill Distribution Centre, Kellogg Rd, Rooty Hill, operated by Holcim Australia.

As required by the development consent for the facility, we invite comment from Council on the operation of the facility as part of this three yearly audit. Please refer to the attached letter for further details.

If you have any questions, please feel free to contact me.

Regards

Allan

Allan Young RPIA

National Technical Leader, Urban and Regional Planning



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