

07 JUNE 2021

ErSed Reference: 21003-ERMR-03-210707

Compliance@planning.nsw.gov.au

Re: SSD-9522: Kemps Creek Warehouse, Logistics and Industrial Facilities Hub (the Yards)

Environmental Representative: Monthly Report (ERMR #03)

Condition of Approval A40 H) for the Yards requires that the ER:

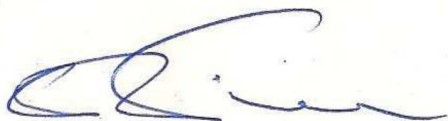
*“prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an **Environmental Representative Monthly Report** providing the information set out in the Environmental Representative Protocol under the heading “Environmental Representative Monthly Reports.”*

*The **Environmental Representative Monthly Report** must be submitted within seven calendar days following the end of each month for the duration of the ER’s engagement, or as otherwise agreed with the Planning Secretary”.*

The following report is to be provided to the Planning Secretary.

Please contact me if you require further information.

Sincerely

A handwritten signature in blue ink, appearing to read "Carl Vincent".

Carl Vincent










Principal (ErSed Environmental Pty Ltd)
Environmental Representative for SSD -9522

**Re: SSD-9522: Kemps Creek Warehouse,
Logistics and Industrial Facilities Hub (the Yards)
Environmental Representative Monthly Report (ERMR #03)
For the period 1 JUNE 2021 to 30 JUNE 2021**



1.	Construction activities carried out during the reporting period	<p>The following works were completed during the period;</p> <p><u>Construction Works</u></p> <p><u>Works completed up to June 10 (Prior to works stopping):</u></p> <ul style="list-style-type: none"> Remove existing dam south of Baker Ln Grass slashing and stripping topsoil Bulk earthworks on the eastern areas of the site identified as Lot 5, Lot 8 and Lot 6 on the Development Layout Plan (SSD-9522 Appendix 1) <p><u>Works continuing after June 10:</u></p> <ul style="list-style-type: none"> Temporary site compound / access setup Completion of slip lane including asphalt Establish temporary ESC measures 				
2.	Proposed upcoming construction works (where known)	<p>The following works are expected in the next period;</p> <p><u>Construction Works</u></p> <ul style="list-style-type: none"> Ongoing maintenance for sediment & erosion control measures Completion of Construct slip lane & permanent site access Completion of new site compound & parking area – Demobilise existing Further works TBC after approval to recommence work has been received 				
3.	ER activities undertaken during this reporting period					
	<u>Site inspections</u>	<p>The ER has undertaken the following inspections;</p> <p>These may have included specific inspections to confirm completion of primary Erosion and Sediment Controls in accordance with the requirements of conditions.</p> <table border="1" data-bbox="453 1178 1465 1361"> <tr> <td data-bbox="453 1178 592 1238">01/06/21</td> <td data-bbox="592 1178 1465 1238"> <ul style="list-style-type: none"> Site inspection to confirm site environmental controls and confirmation of controls in accordance with temporary PESCP. </td> </tr> <tr> <td data-bbox="453 1238 592 1361">08/06/26</td> <td data-bbox="592 1238 1465 1361"> <ul style="list-style-type: none"> Confirmation of WAE for the Basin B. and ESCP for issue of letter confirming erosion and sediment controls in accordance with Condition B24 Inspection of other environmental controls especially at site entrance. </td> </tr> </table> <ul style="list-style-type: none"> The site was shut down for imported materials due to wet conditions 3rd JUNE 21 Construction activities at the site were suspended at the site 10th June 21 due to possible errors with the EPBC referral process. <p>A selection of photographs taken as part of inspections is provided, with comments, at item 14.</p>	01/06/21	<ul style="list-style-type: none"> Site inspection to confirm site environmental controls and confirmation of controls in accordance with temporary PESCP. 	08/06/26	<ul style="list-style-type: none"> Confirmation of WAE for the Basin B. and ESCP for issue of letter confirming erosion and sediment controls in accordance with Condition B24 Inspection of other environmental controls especially at site entrance.
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	<u>Audits undertaken</u>	<p>The following Audits were undertaken in the period.</p> <table border="1" data-bbox="453 1608 1465 1644"> <tr> <td data-bbox="453 1608 592 1644">NIL</td> <td data-bbox="592 1608 1465 1644"></td> </tr> </table>	NIL			
NIL						
4.	Summary of Community Consultation	<p>The CCS includes the register of consultation and communication for the Project. A summarised extract for the period is provided as Attachment 1.</p> <p>Complete records of the register are available if required.</p>				
5.	Summary of Complaints	<p>The following complaints have been received during the period.</p> <table border="1" data-bbox="453 1877 1465 1912"> <tr> <td data-bbox="453 1877 592 1912">NIL</td> <td data-bbox="592 1877 1465 1912"></td> </tr> </table>	NIL			
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6.	Summary of Incidents	<table border="1" data-bbox="453 1966 1465 2002"> <tr> <td data-bbox="453 1966 592 2002">NIL</td> <td data-bbox="592 1966 1465 2002"></td> </tr> </table>	NIL			
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7.	Summary of Non-Compliances	<p>The following non-compliances were recorded and notified during the period</p> <table border="1" data-bbox="453 152 1490 1798"> <tr> <td data-bbox="453 152 592 1126">20/04/21 & Current</td> <td data-bbox="592 152 1490 1126"> <p><u>Non Compliance with Condition of Consent B24</u></p> <p><u>Issue</u> Bulk earthworks commenced ahead of ER written statement required under this condition.</p> <p><u>Resolution</u> ER inspection conducted on 20/04/21 and written statement to be issued to satisfy the condition requirement once the ER is satisfied that controls are in place per Condition B22.</p> <p>A non-compliance against Conditions B22 and B24 were issued to the DPIE in accordance with the requirements of Conditions C11 and C12.</p> <p>The ER informed the Project that the development will remain in non-compliance with condition B24 pending completion of the primary ESC for the subject catchment in accordance with the approved ESCP within the CEMP.</p> <p>The ER inspected the site on;</p> <ul style="list-style-type: none"> • 4/05/21 • 11/05/21 • 18/05/21 • 25/05/21 • 01/06/21 <p>and issued written statement confirming that controls are in place per Condition B22.</p> <p><u>08/06/21 - CLOSED</u></p> <p>The construction and WAE for the main Basin B was inspected and confirmed. A letter confirming installation of sediment controls in accordance with Condition of Consent B24.</p> </td> </tr> <tr> <td data-bbox="453 1126 592 1798">03/06/21 & 10/06/21</td> <td data-bbox="592 1126 1490 1798"> <p><u>Show cause Letter</u></p> <p>A show cause letter was issued to the parties at the development (Frasers, Altis and AWJ) alleging breach of Conditions A1, B20(g), B24, B44(d)(iii) and (iv), C4(b).</p> <p>Responses to the Show cause were issued to the Department by the parties on 18 JUNE 21.</p> <p><u>28/06/21 DPIE Response-Warning Letter</u></p> <p>Following an investigation, the DPIE (Department) has determined that AWJ Civil Pty Ltd (AWJ) has committed an offence against section 4.2(1)(b) of the Environmental Planning and Assessment Act 1979 (Act) carrying out development not in accordance with the conditions of development consent A1, B20(g), B24, B44(d)(iii) and (iv), C4(b).</p> <p>The DPIE considered the response including commitments by AWJ to undertake specific actions. The DPIE determined no further action beyond issue of a Warning Letter at this time.</p> <p>The issue of a warning does not preclude the Department from taking further enforcement action in relation to the breach, if it becomes apparent that an alternative response is more appropriate.</p> </td> </tr> </table>	20/04/21 & Current	<p><u>Non Compliance with Condition of Consent B24</u></p> <p><u>Issue</u> Bulk earthworks commenced ahead of ER written statement required under this condition.</p> <p><u>Resolution</u> ER inspection conducted on 20/04/21 and written statement to be issued to satisfy the condition requirement once the ER is satisfied that controls are in place per Condition B22.</p> <p>A non-compliance against Conditions B22 and B24 were issued to the DPIE in accordance with the requirements of Conditions C11 and C12.</p> <p>The ER informed the Project that the development will remain in non-compliance with condition B24 pending completion of the primary ESC for the subject catchment in accordance with the approved ESCP within the CEMP.</p> <p>The ER inspected the site on;</p> <ul style="list-style-type: none"> • 4/05/21 • 11/05/21 • 18/05/21 • 25/05/21 • 01/06/21 <p>and issued written statement confirming that controls are in place per Condition B22.</p> <p><u>08/06/21 - CLOSED</u></p> <p>The construction and WAE for the main Basin B was inspected and confirmed. A letter confirming installation of sediment controls in accordance with Condition of Consent B24.</p>	03/06/21 & 10/06/21	<p><u>Show cause Letter</u></p> <p>A show cause letter was issued to the parties at the development (Frasers, Altis and AWJ) alleging breach of Conditions A1, B20(g), B24, B44(d)(iii) and (iv), C4(b).</p> <p>Responses to the Show cause were issued to the Department by the parties on 18 JUNE 21.</p> <p><u>28/06/21 DPIE Response-Warning Letter</u></p> <p>Following an investigation, the DPIE (Department) has determined that AWJ Civil Pty Ltd (AWJ) has committed an offence against section 4.2(1)(b) of the Environmental Planning and Assessment Act 1979 (Act) carrying out development not in accordance with the conditions of development consent A1, B20(g), B24, B44(d)(iii) and (iv), C4(b).</p> <p>The DPIE considered the response including commitments by AWJ to undertake specific actions. The DPIE determined no further action beyond issue of a Warning Letter at this time.</p> <p>The issue of a warning does not preclude the Department from taking further enforcement action in relation to the breach, if it becomes apparent that an alternative response is more appropriate.</p>
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8.	Evaluation of Environmental Performance	<p>A show cause letter was issued to the Project Parties alleging non-compliance with Conditions A1, B20(g), B24, B44(d)(iii) and (iv), C4(b).</p> <p>Following an investigation, the DPIE (Department) determined that AWJ Civil Pty Ltd (AWJ) has committed an offence against section 4.2(1)(b) of the Environmental Planning and Assessment Act 1979 (Act) carrying out development not in accordance with the conditions of development consent A1, B20(g), B24, B44(d)(iii) and (iv), C4(b).</p>				

9.	Analysis of Lesson Learnt and Opportunities for improvement	<p>A greater focus will need to be paid to the conditions of consent which specifically require confirmation of actions prior to progress of works or activities in certain areas.</p> <p>This has been communicated to the Principal and the Contractor.</p>										
10.	Any changes to the project including changes to CEMP and other Project Documentation	NIL										
11.	Any meetings attended by ER	<p>The ER has been involved in the following meetings;</p> <table border="1" data-bbox="454 539 1465 629"> <tr> <td data-bbox="454 539 592 629">09/06/21</td> <td data-bbox="600 539 1465 629">Meeting with AWJ, Frasers and Altis to discuss Show Cause letters issued by DPIE 3/06/10 and 10/06/21</td> </tr> </table>	09/06/21	Meeting with AWJ, Frasers and Altis to discuss Show Cause letters issued by DPIE 3/06/10 and 10/06/21								
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12.	Summary of documents issued by the ER	<p>The following documents were issued by the ER; these were uploaded to the DPIE portal.</p> <table border="1" data-bbox="454 719 1465 898"> <tr> <td data-bbox="454 719 762 745">21003 ERM-R-02-0-210607</td> <td data-bbox="770 719 1465 745">ER Monthly Report for period to end APRIL 2021</td> </tr> <tr> <td data-bbox="454 757 762 784">21003-YARDS-LTR-210601</td> <td data-bbox="770 757 1465 835">Letter to DPIE confirming process for management of non-compliance with Condition D24 and continued management of ESC pending completion of primary sediment control basins.</td> </tr> <tr> <td data-bbox="454 846 762 873">21003-YARDS-LTR-210608</td> <td data-bbox="770 846 1465 898">Letter to DPIE confirming ESC in place in accordance with requirements of Condition of Consent B24</td> </tr> </table> <p>Regular inspection reports are also provided to the DPIE directly for their information and not via the portal.</p>	21003 ERM-R-02-0-210607	ER Monthly Report for period to end APRIL 2021	21003-YARDS-LTR-210601	Letter to DPIE confirming process for management of non-compliance with Condition D24 and continued management of ESC pending completion of primary sediment control basins.	21003-YARDS-LTR-210608	Letter to DPIE confirming ESC in place in accordance with requirements of Condition of Consent B24				
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21003-YARDS-LTR-210608	Letter to DPIE confirming ESC in place in accordance with requirements of Condition of Consent B24											
13.	Closing Remarks	The ER will increase engagement and communication in respect to the importance of ongoing review and planning for compliance with the Conditions of Consent.										
14.	<table border="1"> <thead> <tr> <th colspan="2" data-bbox="263 1122 1497 1155">Photos and comments from inspections</th> </tr> <tr> <th data-bbox="263 1160 647 1189">Photo</th> <th data-bbox="655 1160 1497 1189">Date, Location & Comment</th> </tr> </thead> <tbody> <tr> <td data-bbox="263 1193 647 1514">  </td> <td data-bbox="655 1193 1497 1514"> <p>1/06/21 – Main South West Basin Works at the SW basin were discussed. It was indicated that these should be completed in the next 7 days.</p> <p>To confirm compliance with the ESCP within the approved SMP it was communicated by the ER that the following are required;</p> <ul style="list-style-type: none"> • The capacity of the basin has to be confirmed by survey as achieving the required volume or greater. • Stable inlet(s) have to be provided • Stable outlet have to be provided </td> </tr> <tr> <td data-bbox="263 1518 647 1776">  </td> <td data-bbox="655 1518 1497 1776"> <p>1/06/21 – Main South West Basin The batters to the basin have been scarified with the lines running against the contours.</p> <p>It was discussed that best practice is to achieve these lines on the contour so that topsoil is more likely to adhere and not slip especially when saturated.</p> <p>This is detailed within SD 4.2 from the blue book. (See Attachment 1)</p> </td> </tr> <tr> <td data-bbox="263 1780 647 2038">  </td> <td data-bbox="655 1780 1497 2038"> <p>1/06/21 – Main South West Basin</p> <p>The new wash bay arrangement was discussed.</p> <p>It was suggested that two bays may be required to accommodate the number of planned truck movements.</p> </td> </tr> </tbody> </table>		Photos and comments from inspections		Photo	Date, Location & Comment		<p>1/06/21 – Main South West Basin Works at the SW basin were discussed. It was indicated that these should be completed in the next 7 days.</p> <p>To confirm compliance with the ESCP within the approved SMP it was communicated by the ER that the following are required;</p> <ul style="list-style-type: none"> • The capacity of the basin has to be confirmed by survey as achieving the required volume or greater. • Stable inlet(s) have to be provided • Stable outlet have to be provided 		<p>1/06/21 – Main South West Basin The batters to the basin have been scarified with the lines running against the contours.</p> <p>It was discussed that best practice is to achieve these lines on the contour so that topsoil is more likely to adhere and not slip especially when saturated.</p> <p>This is detailed within SD 4.2 from the blue book. (See Attachment 1)</p>		<p>1/06/21 – Main South West Basin</p> <p>The new wash bay arrangement was discussed.</p> <p>It was suggested that two bays may be required to accommodate the number of planned truck movements.</p>
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8/06/21 – Temporary Entrance/Exit

The new configuration of controls at this location was discussed.

- The trucks first enter a cattle grid to shake off bulk material
- The trucks then enter a wheel bath to wash off mud / sediment
- A second wheel bath over grids are provided for the wheels to be washed down with high pressure hoses
- A second shaker is crossed to shake off water
- A concrete pad is located at the end of the wash down area to judge the effectiveness of the clean

It was suggested that a berm be provided to prevent any sediment laden water from adjacent areas being washed over the concrete surface

It was suggested that a pit or sump be provided on the down side of the concrete surface to allow it to be pressure washed and cleaned into this sump

- A 3rd cattle grid is located to the road side of the concrete surface
- A final run of bitumen seal is proved to Mamre road- this seal is approx. 25m long.



Sediment Basin B has been completed and the capacity confirmed via WAE survey.

Improvements to the basin were recommended

- Seed and stabilise topsoil berm and surrounds at perimeter at top of cut
- Extend and pin geotextile at inlets to invert of basin to reduce scour – ensure that the extended apron is installed under the existing rockwork by min 500mm to prevent water passing under the new cloth
- surrounds at perimeter at top of cut

Extend and pin geotextile at outlet to ~2-3m down face of basin wall. Ensure that the extended apron is installed laid over the existing fabric at the rockwork by min 500mm to prevent water passing under the cloth at the spillway

Attachment 1 – Extract of Consultation and Communication Register

Date	Responsible Rep	In/Out/ Meeting	Initial Communication Method/Tool	Contact Name/Organisation	Nature of Complaint/Enquiry/ Communication	Summary of Issues/Details of Communication	Resolution
NIL							